



# भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-सा.-13042024-253689  
CG-DL-W-13042024-253689

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY  
साप्ताहिक  
WEEKLY

सं. 13]

नई दिल्ली, मार्च 31—अप्रैल 6, 2024, शनिवार/ चैत्र 11—चैत्र 17, 1946

No. 13]

NEW DELHI, MARCH 31—APRIL 6, 2024, SATURDAY/CHAITRA 11—CHAITRA 17, 1946

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

वित्त मंत्रालय  
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 2 अप्रैल, 2024

का.आ. 619.—भारतीय लघु उद्योग विकास बैंक (सिडबी) अधिनियम, 1989 (1989 का 39) की धारा 6 की उप-धारा (2) के साथ पठित धारा 6 की उप-धारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्री सुदत्ता मंडल (जन्म तिथि: 20.4.1968), उप-प्रबंध निदेशक, भारतीय लघु उद्योग विकास बैंक, के वर्तमान कार्यकाल की अवधि जो दिनांक 2.5.2024 को समाप्त हो रही है, को आगे दो वर्ष अर्थात् दिनांक 3.5.2024 से 2.5.2026 तक अथवा अगले आदेशों तक, जो भी पहले हो, बढ़ाती है।

[फा. सं. एफटी-17/8/2022-आईएफ-II]

अनिल कुमार, अवर सचिव

**MINISTRY OF FINANCE****(Department of Financial Services)**

New Delhi, the 2nd April, 2024

**S.O. 619.**—In exercise of the powers conferred by clause (b) of sub-section (1) of section 6 read with sub-section (2) of section 6 of the Small Industries Development Bank of India (SIDBI) Act, 1989 (39 of 1989), the Central Government has approved the extension of the term of Shri Sudatta Mandal (D.O.B: 20.04.1968) as Deputy Managing Director, Small Industries Development Bank of India for a further period of two (02) years beyond his present tenure ending on 02.05.2024 i.e. from 03.05.2024 to 02.05.2026, or until further orders, whichever is earlier.

[F. No. FT-17/8/2022-IF-II]

ANIL KUMAR, Under Secy.

**कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय****(कार्मिक और प्रशिक्षण विभाग)**

नई दिल्ली, 22 मार्च, 2024

**का.आ. 620.**—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का केंद्रीय अधिनियम 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार की अधिसूचना सं. जी.ओ (एमएस.) सं. 120/2023/गृह, दिनांक 29.04.2023 (एसआरओ सं. 526/2023 के रूप में जारी) और शुद्धिपत्र अधिसूचना जी.ओ (एमएस.) सं. 211/2023/गृह, दिनांक 18.10.2023, केरल राज्य सरकार, गृह (एम.) विभाग, तिरुवनंतपुरम के माध्यम से जारी सम्मति से, श्रीमती श्रीनिथा नायर जी एस, क्षेत्रीय प्रबंधक, भारतीय स्टेट बैंक, क्षेत्रीय व्यापार कार्यालय (I), त्रिशूर द्वारा भारतीय स्टेट बैंक को लगभग 4.10 करोड़ रुपये का नुकसान पहुंचाने के संबंध में (1) भारतीय स्टेट बैंक, एसएमई शाखा, त्रिशूर के अज्ञात लोक सेवक, (2) मेसर्स स्टील हाउस प्राइवेट लिमिटेड (एसएचपीएल), (3) मेसर्स एसएचपीएल के प्रबंध निदेशक श्री टेनी जोस, (4) श्री किरण सी. टेनी, मेसर्स एसएचपीएल के निदेशक, (5) श्री अरुण सी. टेनी, मेसर्स एसएचपीएल के निदेशक, (6) मेसर्स टेनी जोस लिमिटेड (टीजेएल) और अज्ञात अन्य के खिलाफ भारतीय दंड संहिता, 1860 (1860 का केंद्रीय अधिनियम 45) की धारा 120बी सपठित धारा 420, 406 तथा भ्रष्टाचार निवारण अधिनियम, 1988 (2018 के केंद्रीय अधिनियम 16 द्वारा यथा-संशोधित) की धारा 13 की उपधारा (1) का खंड (क) सपठित उपधारा (2) के तहत दंडनीय अपराध(धों) के संबंध में दिनांक 31.08.2022 को दर्ज कराई गयी शिकायत से उत्पन्न अपराध(धों) का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त केरल राज्य में करती है।

[फा. सं. 228/36/2023-एवीडी-II]

कुंदन नाथ, अवर सचिव

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS****(Department of Personnel and Training)**

New Delhi, the 22nd March, 2024

**S.O. 620.**—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification No. G.O. (Ms) No. 120/2023/Home dated 29.04.2023 (issued as S.R.O. No. 526/2023) and Erattum Notification G.O.(Ms) No. 211/2023/Home dated 18.10.2023 Home (M) Department, Thiruvananthapuram, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Kerala for investigation into the offence(s) arising out of the complaint dated 31.08.2022 lodged by Smt. Sreenitha Nair G S, Regional Manager, State Bank of India, Regional Business Office (I), Thrissur against (1) unknown Public Servants of State Bank of India, SME Branch, Thrissur, (2) M/s Steel House Private Limited (SHPL), (3) Shri Tenny Jose, Managing Director of M/s SHPL, (4) Shri Kiran. C. Tenny, Director of M/s SHPL, (5) Shri Arun C Tenny, Director of M/s SHPL, (6) M/s Tenny Jose Limited (TJL) and

unknown others for causing loss of approx. Rs. 4.10 Crores to the State Bank of India, punishable under section 120B r/w section 420, 406 of the Indian Penal Code 1860 (Central Act 45 of 1860) and under clause (a) of sub-section (1) read with sub section (2) of section 13 of Prevention of Corruption Act, 1988 (as amended by the Central Act 16 of 2018) and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/36/2023-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 621.**—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का केंद्रीय अधिनियम 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केरल राज्य सरकार की अधिसूचना सं. जी.ओ (एमएस.) सं. 47/2022/गृह, दिनांक 14.03.2022 (एसआरओ सं. 251/2022 के रूप में जारी) और शुद्धिपत्र अधिसूचना जी.ओ (एमएस.) सं. 9/2024/गृह, दिनांक 08.01.2024 (एसआरओ सं. 130/2024 के रूप में जारी), केरल सरकार, गृह (एम.) विभाग, तिरुवनंतपुरम के माध्यम से जारी सम्मति से, कथित तौर पर श्रीमती अंबिली गोपीनाथ, तत्कालीन शाखा डाकपाल, कुम्माणम डाकघर, कोट्टायम एवं अज्ञात अन्यो द्वारा कारित भारतीय दंड संहिता, 1860 (1860 का केंद्रीय अधिनियम 45) की धारा 409, 468, 477-ए, तथा भ्रष्टाचार निवारण अधिनियम, 1988 (2018 के केंद्रीय अधिनियम 16 द्वारा यथा-संशोधित) की धारा 13 की उपधारा (1) का खंड (क) सपठित उपधारा (2) के तहत दंडनीय अपराध(धों), जिसके आधार पर दिनांक 29.03.2022 को सीबीआई मामला आरसी0332022ए0001 पंजीकृत किया गया है, का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 29.03.2022 से) समस्त केरल राज्य में करती है।

[फा. सं. 228/25/2023-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 621.**—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government with the consent of the State Government of Kerala, issued vide Notification No. G.O. (Ms.) No. 47/2022/Home dated 14.03.2022 (issued as S.R.O. No. 251/2022) and Erratum Notification G.O. (Ms.) No. 9/2024/Home dated 08.01.2024 (issued as S.R.O. No. 130/2024), Government of Kerala, Home (M) Department, Thiruvananthapuram hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f. 29.03.2022) to the whole State of Kerala for investigation into the offence(s) punishable under section 409, 468, 477-A of the Indian Penal Code, 1860 (Central Act 45 of 1860), under clause (a) of sub-section (1) read with subsection (2) of Section 13 of the Prevention of Corruption Act, 1988 (as amended by the Central Act 16 of 2018) alleged to have been committed by Smt. Ambily Gopinath, the then Branch Post Master, Kummanam Post Office, Kottayam and unknown others, based on which a CBI Case RC0332022A0001 has been registered on 29.03.2022 and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/25/2023-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 622.**—केन्द्र सरकार एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिसूचना जापन सं. 10/सी.बी.आई.-401/2024-1214, दिनांक 27.02.2024, गृह, कारागार एवं आपदा प्रबंधन विभाग, झारखंड राज्य सरकार के माध्यम से जारी सम्मति से (i) श्री मार्शल कुजूर, डाक सहायक (ii) श्रीमती रंजना शरण, (iii) श्री शशि भूषण स्वंसी, (iv) श्री प्रभुधन ओराओन, तत्कालीन एपीएम (एसबी), सभी उप-डाकघर धुरवा, रांची के (v) अज्ञात लोक सेवकों

तथा अज्ञात व्यक्तियों के खिलाफ भारतीय दंड संहिता की धारा 409, 420, 467, 468, 471 सपठित 120-बी भा.दं.सं. तथा भ्रष्टाचार निवारण अधिनियम, 1988 (वर्ष 2018 में यथा संशोधित) की धारा 7 के अंतर्गत दंडनीय अपराधों के नियमित मामले का अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए, दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त झारखंड राज्य में करती है।

[फा. सं. 228/17/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 622.**—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government, with the consent of the State Government of Jharkhand issued vide Notification Memo No.10/C.B.I.-401/2024-1214 dated 27.02.2024, Home, Prisons and Disaster Management Department, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Jharkhand for investigation of regular case against (i) Sh. Marshal Kujur, Postal Assistant (ii) Smt. Ranjana Sharan, (iii) Sh. Shashi Bhushan Swansi, (iv) Sh. Prabhudhan Oraon, the then APM (SB) all of Sub-Post Office Dhurwa, Ranchi (v) unknown public servants and unknown persons, for offences punishable under section 409, 420, 467, 468, 471 of IPC r/w 120-B IPC and Section 7 of PC Act, 1988 (as amended in 2018) and any attempt, abetment and/or conspiracy in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/17/2024-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 623.**—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राजस्थान राज्य सरकार की अधिसूचना सं. एफ.19(40) गृह-5/2023 दिनांक 04/03/2024, गृह (जीआर-V) विभाग, जयपुर, राजस्थान सरकार के माध्यम से जारी सम्मति से, मैसर्स संध्या ज्योति दर्पण, अलवर और भरतपुर संस्करणों की मालिक और प्रकाशक श्रीमती सरोज शर्मा के खिलाफ सरकारी विज्ञापनों को प्रकाशित करने का अधिकार सुरक्षित करवाने एवं वास्तव में दावा की गई संख्या में प्रतियाँ प्रकाशित किए बिना अन्य अज्ञात गैर-सरकारी व्यक्तियों के साथ मिलकर साजिश रचने और राजकोष को सदोष हानि पहुंचाने के लिए आईपीसी की धारा 120-बी सपठित 420, 467, 468 और 471 और उसके मूल अपराधों के तहत सीबीआई, एसीबी, जयपुर द्वारा पंजीकृत मामले पीईजेएआई 2021ए0003 में दंडनीय अपराध(धों) का पंजीकरण और अन्वेषण करने तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त राजस्थान राज्य में करती है।

[फा. सं. 228/16/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 623.**—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government, with the consent of the State Government of Rajasthan issued vide Notification No. F.19(40) Home-5/2023 dated 04/03/2024, Home (Gr.-V) Department, Jaipur, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole State of Rajasthan for registration and investigation into the offence(s) in PEJAI2021A0003 registered by CBI, ACB, Jaipur punishable under section 120-B r/w 420, 467, 468 & 471 of IPC and substantive offences thereof, against Smt. Saroj Sharma, Owner and Publisher of the M/s Sandhya Jyoti Darpan, Alwar and Bharatpur Editions in conspiracy with other unknown private persons for securing the Government Advertisements without actually publishing the claimed number of copies and causing wrongful loss to the

Government's exchequer, and any attempt, abetment and/or conspiracy in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/16/2024-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 624.**—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का केन्द्रीय अधिनियम सं. 25) की धारा 5 की उपधारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए छत्तीसगढ़ राज्य सरकार, गृह विभाग, सी-अनुभाग, मंत्रालय, महानदी भवन, नया रायपुर द्वारा पत्र सं. एसआई. एफ-4-164/गृह-सी/2013, दिनांक 06.02.2024 के माध्यम से जारी सम्मति से, गृह विभाग की अधिसूचना सं. एफ-4-164/एच.सी./2012 दिनांक 19.07.2012, 27.07.2012 और 19.10.2012 का स्वस्थाने क्रियान्वयन करते हुए और विभाग के पत्र सं. 68 दिनांक 10.01.2019 को निरस्त करते हुए, डीएसपीई अधिनियम, 1946 की धारा 3 के तहत अधिसूचित अपराध(धों) का अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार समस्त छत्तीसगढ़ राज्य में करती है।

[फा. सं. 228/07/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 624.**—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act No. 25 of 1946), the Central Government, with the consent of the State Government of Chhattisgarh, Home Department, C-Section, Ministry, Mahanadi Bhavan, Naya Raipur accorded vide letter No. SI. F-4-164/Home-C/2013, dated 06.02.2024, implementing in situ, Home Department's Notification No. F-4-164/H.C./2012 dated 19.07.2012, 27.07.2012 and 19.10.2012, and revoking Department's letter No. 68 dated 10.01.2019, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment in the whole state of Chhattisgarh for investigation of offence(s) notified under section 3 of DSPE Act, 1946.

[F. No. 228/07/2024-AVD-II]

KUNDAN NATH, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 625.**—केन्द्र सरकार, एतद्वारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 5 की उप-धारा (1) सपठित धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तमिलनाडु राज्य सरकार की अधिसूचना सं. जी.ओ (2डी) सं. 48, दिनांक 14.02.2024 और शुद्धिपत्र अधिसूचना सं. जी.ओ (2डी) सं. 62, दिनांक 29.02.2024, गृह (पुलिस.XV) विभाग, तमिलनाडु राज्य सरकार के माध्यम से जारी सम्मति से श्री एम.जेकब जेबामणि सुपुत्र ए.मणि द्वारा दिनांक 14.02.2024 को श्री पी. काबिलन, प्रवर्तन अधिकारी, ईपीएफ, तिरुनेलवेली के विरुद्ध दर्ज कराई गई शिकायत, जिसके आधार पर भ्रष्टाचार निवारण अधिनियम, 1988 (वर्ष 2018 में यथासंशोधित) की धारा 7 के तहत दिनांक 15.02.2024 को आरसी2292024ए0002 पंजीकृत किया गया है, से उत्पन्न अपराध(धों) का अन्वेषण करने के लिए तथा ऐसे अपराध(धों) से जुड़े या उससे संबद्ध किसी दुष्प्रयास, दुष्प्रेरणा और/अथवा षड्यंत्र एवं/अथवा उसी संव्यवहार में किए गए या उन्हीं तथ्यों से उत्पन्न किसी अन्य अपराध का अन्वेषण करने के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की शक्तियों और क्षेत्राधिकार का विस्तार (कार्योत्तर प्रभाव से दिनांक 15.02.2024 से) समस्त तमिलनाडु राज्य में करती है।

[फा. सं. 228/11/2024-एवीडी-II]

कुंदन नाथ, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 625.**—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Central Act 25 of 1946), the Central Government with the consent of the State Government of Tamil Nadu, issued vide Notification No. G.O (2D) No. 48 dated 14.02.2024 and Corrigendum Notification No. G.O(2D) No. 62 dated 29.02.2024, Home (Police.XV) Department, Tamil Nadu Government hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment (ex post facto w.e.f 15.02.2024) to the whole State of Tamil Nadu for investigation into the offence(s) in RC2292024A0002 registered on 15.02.2024 under section 7 of Prevention of Corruption Act, 1988 (as amended in 2018), against Shri P. Kabilan, Enforcement Officer, EPF, Tirunelveli arising out of the complaint dated 14.02.2024 lodged by Shri M. Jacob Jebamani S/o A. Mani and any attempt, abetment and/or conspiracy, in relation to or in connection with such offence(s) and/or for any other offence committed in the course of the same transaction or arising out of the same facts.

[F. No. 228/11/2024-AVD-II]

KUNDAN NATH, Under Secy.

### पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 28 मार्च, 2024

**का.आ. 626.**—राजीव गांधी पेट्रोलियम प्रौद्योगिकी संस्थान अधिनियम 2007 के नियम 5(1) (ग) के अंतर्गत प्रदत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार श्री पी.के. जोशी, तत्कालीन निदेशक, एचपीसीएल और श्री विश्वजीत रॉय, तत्कालीन निदेशक, ऑयल इंडिया लिमिटेड के स्थान पर श्री मनीष पाटिल, निदेशक (मानव संसाधन), ओएनजीसी लिमिटेड और श्री आयुष गुप्ता, निदेशक (मानव संसाधन), गेल (इंडिया) लिमिटेड को तत्काल प्रभाव से तीन वर्ष की अवधि अथवा अगले आदेश तक, जो भी पहले हो, के लिए आरजीआईपीटी के गवर्नर बोर्ड के सदस्य के रूप में एतद्वारा नामांकित करती है।

[फा. सं. एफपी-22015/39/2023-एफपी-पीएनजी (ई-48367)]

कला, अवर सचिव

### MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 28th March, 2024

**S. O. 626**—In exercise of the powers conferred under Rule 5(1) (c) of the Rajiv Gandhi Institute of Petroleum Technology Act 2007, the Central Government hereby nominates Shri Manish Patil, Director (HR), ONGC Ltd. and Shri Ayush Gupta, Director (HR), GAIL (India) Ltd. as Members on the Board of Governors of RGIPT with immediate effect for a period of three years or until further orders whichever is earlier, vice Shri P.K. Joshi, then Director, HPCL and Shri Biswajit Roy then Director OIL India Ltd.

[F. No. FP-22015/39/2023-FP-PNG (E-48367)]

KALA, Under Secy.

नई दिल्ली, 5 अप्रैल, 2024

**का.आ. 627.**—दिनांक 02.11.2018 को भारत के असाधारण राजपत्र में प्रकाशित दिनांक 31.10.2018 की भारत सरकार की अधिसूचना संख्या का.आ. 5640 (अ) के आंशिक संशोधन और पेट्रोलियम और खनिज पाइपलाइन (भूमि में प्रयोक्ता के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (इसमें इसके बाद उक्त अधिनियम कहा गया है) की धारा 2 के खंड (क) के अनुसरण में भारत सरकार एतद्वारा, महाराष्ट्र राज्य में मैसर्स गेल (इंडिया) लिमिटेड की सभी प्राकृतिक गैस पाइपलाइन परियोजनाओं के लिए पेट्रोलियम और खनिज पाइपलाइन (भूमि में प्रयोक्ता के अधिकार का अर्जन) अधिनियम, 1962 के तहत श्रीमती अस्मिता बलिराम मोरे, उप समाहर्ता, महाराष्ट्र सरकार को

श्रीमती अश्विनी एस. पाटिल, उप समाहर्ता, महाराष्ट्र सरकार के स्थान पर, प्रतिनियुक्ति के आधार पर, तीन वर्ष की अवधि के लिए, सक्षम प्राधिकारी के कार्यों का निर्वहन करने के लिये प्राधिकृत करती है।

2. यह अधिसूचना इसके जारी होने की तिथि से प्रभावी होगी।

[फा. सं. एल-14014/7/2024-जीपी-II (ई-49235)]

रामजी लाल मीना, अवर सचिव

New Delhi, the 5th April, 2024

**S.O. 627.**—In partial modification of Government of India notification No. S.O. 5640(E) dated 31.10.2018 published in the Extraordinary Gazette of India dated 02.11.2018 and in pursuance of clause (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter called the said Act), the Government of India hereby authorizes Smt. Asmita Baliram More, Deputy Collector, Government of Maharashtra in place of Smt. Ashwini S. Patil, Deputy Collector, Government of Maharashtra to perform the functions of Competent Authority under the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, on deputation basis, for a period of Three Years, for all Natural Gas Pipeline Projects of M/s GAIL (India) Limited in the State of Maharashtra.

2. This notification will be effective from the date of its issue.

[F. No. L-14014/7/2024-GP-II (E-49235)]

RAMJI LAL MEENA, Under Secy.

### श्रम और रोजगार मंत्रालय

नई दिल्ली, 7 फरवरी, 2024

**का.आ. 628.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजको और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, आसनसोल के पंचाट (सन्दर्भ संख्या 03/2019) को प्रकाशित करती है, जो केन्द्रीय सरकार को 04/01/2024 को प्राप्त हुआ था।

[सं. एल. 22013/01/2024-आई.आर. (सी.एम.-II)]

मणिकंदन. एन, उप निदेशक

### MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 7th February, 2024

**S.O. 628.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award ( **Reference. I.D. No. 03/2019**) of the **Central Government Industrial Tribunal-cum-Labour Court, Asansol** as shown in the Annexure, in the industrial dispute between the Management of **E.C.L.** and their workmen, received by the Central Government on **04/01/2024**.

[No. L-22013/01/2024 – IR (CM-II)]

MANIKANDAN. N, Dy. Director

### ANNEXURE

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,  
ASANSOL.**

**PRESENT:** Shri Ananda Kumar Mukherjee,  
Presiding Officer,  
C.G.I.T-cum-L.C., Asansol.

**APPLICATION NO. 03 OF 2019****PARTIES:**

Kajal Bouri

**Vs.**

Management of Jambad Colliery of ECL.

**REPRESENTATIVES:**

For the Union/Workman: Mr. Rakesh Kumar, President, Koyala Mazdoor Congress.

For the Management of ECL: Mr. P. K. Das, Advocate.

**INDUSTRY:** Coal**STATE:** West Bengal**Dated:** 15.01.2024**AWARD**

1. The instant application under sub-section (2) and (3) of Section 2A of Industrial Disputes (Amendment) Act, 2010 has been filed by the petitioner Kajal Bouri on being dismissed from service on 26.05.2016.

2. The fact of the petitioner's case in brief is that, the petitioner was a permanent employee of Eastern Coalfields Limited (hereinafter referred to as ECL) and posted at Jambad Colliery as General Mazdoor bearing U.M. No. 194564 under Kajora Area of ECL. Due to illness, he could not attend his duty from 27.08.2015. After his recovery he reported for duty but the management did not allow him to join and issued Charge Sheet against him bearing No. ECL/JC/C-6/P&IR/15-16/5B/744 dated 23.03.2016. Kajal Bouri submitted a reply against the Charge Sheet along with document relating to his medical treatment under Dr. Shyamal Sanyal (Ex-Medical Superintendent of S.D. Hospital, Asansol), Gopalpur, Asansol. An Enquiry Proceeding was held against the petitioner. The charged employee participated in the enquiry and informed the Enquiry Officer that in future he will attend his duty regularly. After he was found guilty of the charge the management issued a Second Show Cause Notice dated 15/16.05.2016 asking him to show cause against the findings of the Enquiry Officer. Kajal Bouri submitted his reply and undertook that he will not commit such misconduct in future. The Agent of Jambad Colliery then initiated a proposal for allowing Kajal Bouri to join his duty and the case was sent to the General Manager of Kajora Area of ECL for taking suitable action. The General Manager however approved the dismissal of the workman. Accordingly, an Order of Dismissal was issued by the Area Personnel Manager of Kajora Area on 26.05.2016 on the approval of the competent authority.

3. It is the case of the petitioner that his period of absence from duty was six months, from 27.08.2015 to 23.03.2016 and such an extreme punishment of dismissal should not have been awarded against him. The petitioner contended that the punishment of dismissal is disproportionate to the nature of misconduct. Furthermore, the order of dismissal is not signed by the General Manager of the Area which is a prerequisite. Referring to the Memorandum of Settlement dated 22.05.2007 it is urged that the management of ECL allowed thousands of workers to join the duty for absence for a short period where their age was below forty-five (45) years. In the instant case the petitioner was aged about thirty-eight (38) years and is fit to perform his work in the mine but the management did not consider his mercy petition till date.

4. Challenging the order of dismissal the petitioner made an application before the Conciliation Officer, which could not be disposed of within forty-five (45) days. The petitioner therefore has filed an application directly before this Tribunal under Section 2A (2)(3) of the Industrial Disputes (Amendment) Act, 2010 well within three years from the date of dismissal. It is contended that the enquiry held by the management was unfair and the workman was not given opportunity to take the assistance of co-worker, resulting in violation of natural justice. The petitioner prayed for his reinstatement in service of the company by declaring the order of dismissal illegal and to grant him full back wages with all other consequential benefits.

5. After registration of the application as an Industrial Dispute on 06.03.2019 Notice under registered post were issued to both the parties. Mr. Rakesh Kumar, President, Koyala Mazdoor Congress represented the dismissed workman and also filed a Certificate dated 20.11.2018 issued by the Assistant Labour Commissioner (Central), Raniganj at Durgapur, whereby the Conciliation Officer certified that no settlement was reached and the union wanted to discontinue the conciliation process and take up the matter with the Central Government Industrial Tribunal -cum- Labour Court directly under sub-section (2) and (3) of Section 2A of Industrial Disputes (Amendment) Act, 2010.

6. The management of ECL contested the case by filing written statement on 31.10.2022. The contrary case of the management of ECL is that Kajal Bouri was a habitual absentee for which he was reprimanded several times. As per the record of the company he absented from duty on and from 27.08.2015 without any authorized leave or intimation to the appropriate authority. A Charge Sheet was issued to Kajal Bouri on 23.03.2016 and a Domestic Enquiry was initiated. Kajal Bouri participated in the enquiry where he accepted the charge of misconduct by not



informing the management about his absenteeism. The charge of unauthorized and habitual absence were proved against him beyond doubt and based on the findings of the Enquiry Officer he was dismissed by the General Manager of Kajora Area. The dismissal was communicated to Kajal Bouri through letter no. KA:APM:C-6:Dismissal:10:1860 dated 26.05.2016. The management of the company issued a Second Show Cause Notice to the concerned employee against which he submitted a reply to it. Ample opportunity was granted to the employee to defend his case in accordance with the principles of natural justice. the dismissal of the workman is therefore proper. According to the Certified Standing Order of the company the workman is supposed to appeal against the punishment within forty-five (45) days from the issuance of the order but he failed to file any appeal. The respondent company admittedly has entered into a Memorandum of Settlement with the representative of union wherein it was agreed that dismissal of workman for absenteeism could be considered for reinstatement on merit based upon eligibility criteria. According to the management absenteeism is a serious misconduct which hampers the work of the employer as well as production process. The employee must conduct himself in a disciplined manner and must perform his duty with responsibility. It is urged that an employee who absented from duty for nine (9) months without obtaining leave and without intimation to the employer does not deserve sympathy. The management therefore prayed for dismissal of the case.

7. Both parties adduced evidence in support of their respective case. Kajal Bouri filed an affidavit-in-chief and examined himself as workman witness – 1. He has produced following documents which have been admitted in the evidence :

- (i) Photocopy of the Identity Card issued by ECL, as Exhibit W-1.
- (ii) Photocopy of the Charge Sheet dated 23.03.2016, as Exhibit W-2.
- (iii) Photocopy of the Reply to the 2<sup>nd</sup> Show Cause Notice, as Exhibit W-3.
- (iv) Photocopy of the Dismissal Order dated 26.05.2016, as Exhibit W-4.
- (v) Photocopy of the Mercy Petition dated 28.12.2016 filed before the General Manager (P&IR), ECL, Sanctoria, as Exhibit W-5.
- (vi) Photocopy of the Office Order dated 30/31.05.2016, deleting the name of Kajal Bouri from the Manpower roll of Jambad Colliery, as Exhibit W-6.

8. In his cross-examination witness claimed that he was suffering from illness during his absence since 27.08.2015 and during his absence he was under medical treatment at his house and also under Dr. Sunil Mondal, a Registered Medicine Practitioner. The witness deposed that he did not submit any document issued by Dr. S. Mondal and he has no other document than those issued by Dr. S. Sanyal. The witness in course of his cross-examination disclosed that he was suffering from jaundice. The witness admitted that in is mercy petition he stated that being threatened by moneylenders he was suffering from mental tension, resulting in his absence from duty.

9. Mr. Ramjee Tripathi, Assistant Manager (Personnel), Jambad Colliery has examined himself as Management witness – 1. He has filed affidavit-in-chief in support of the management case. In his cross-examination the witness deposed that Kajal Bouri participated in the Enquiry Proceeding. The witness also denied that the punishment awarded to Kajal Bouri was disproportionate to the charge levelled against him. In course of his evidence management witness produced the following documents :

- (i) Photocopy of the Charge Sheet dated 23.03.2016, as Exhibit M-1.
- (ii) Photocopy of the reply submitted by Kajal Bouri against the Charge Sheet, as Exhibit M-2.
- (iii) Photocopy of the letter dated 11.05.2016 appointing Mr. Budhram Mandal as the Enquiry Officer, as Exhibit M-3.
- (iv) Photocopy of the Enquiry Report in six pages, as Exhibit M-4.
- (v) Photocopy of the 2<sup>nd</sup> Show Cause Notice dated 15/16.05.2016, as Exhibit M-5.
- (vi) Photocopy of the Reply to the 2<sup>nd</sup> Show Cause Notice, as Exhibit M-6.
- (vii) Photocopy of the Note Sheet dated 16.05.2016 and 21.05.2016 approving dismissal of the workman, as Exhibit M-7.
- (viii) Photocopy of the Order of Dismissal dated 26.05.2016 issued by the Area Personnel Manager, Kajora Area, as Exhibit M-8.

10. It is undisputed that Kajal Bouri was a permanent employee of ECL at Jambad Colliery under Kajora Area and that he absented from his duty from 27.08.2015 till issuance of the Charge Sheet on 23.03.2016 without any prior intimation or leave. The concerned workman was chargesheeted under Clause 26.23 of the Certified Standing Orders of the company for his habitual absence from duty without sufficient cause and under Clause 26.29 of the

Certified Standing Orders of the company for absence from duty beyond ten days without sanctioned leave or permission. The workman admitted receipt of the Charge Sheet and also claimed that he submitted reply to the Charge Sheet. On a perusal of the record, it appears from the Exhibit M-2, the reply submitted against the Charge Sheet that due to death of his uncle he had to perform the last rite at his native place for which he could not attend his duty or respond to the Charge Sheet. The workman did not dispute the contents of the reply to the Charge Sheet. There is no whisper about his illness at the first instance.

11. In his application under Section 2A (2)(3) of the Industrial Disputes (Amendment) Act, 2010 the workman has disclosed that he could not attend his due to illness. In the affidavit-in-chief the charged employee in paragraph – (4) disclosed that he submitted treatment papers issued by Dr. Shyamal Sanyal (Ex-Medical Superintendent of S.D. Hospital, Asansol). During his examination-in-chief the witness deposed that he was under medical treatment of Dr. S. Sanyal and that he was suffering from jaundice. In course of his evidence the witness did not file any document relating to his medical treatment under Dr. S. Sanyal. The charged employee participated in the Enquiry Proceeding where he stated that he did not inform the management about his illness and that he submitted medical certificate issued by Dr. S. Sanyal along with the reply to the Charge Sheet. On a careful scrutiny of the reply to the Charge Sheet (Ext. M-2) I find that there is no mention about illness or any enclosure of medical certificate issued by Dr. S. Sanyal.

12. The Enquiry Report reveals that one Mr. G. Paramanik, management representative in his evidence stated that Kajal Bouri submitted his reply to the Charge Sheet on 10.05.2016 along with a Sick/Fit Certificate issued by Dr. S. Sanyal, a private medical practitioner of Gopalpur, Asansol covering the period of his treatment under him from 27.08.2015 to 15.04.2016. It is stated that no supportive medical document has been filed. The management witness further stated that Kajal Bouri did not have sanction of leave for the period of his absence as there was no entry in the 'G' and 'H' Register maintained at the colliery. The witness also deposed that in the previous three years Kajal Bouri attended duty for only sixty-six (66) days in 2013, one hundred sixty-six (166) days in 2014, and thirty-eight (38) days in 2015. He had been warned for his unauthorized absence from 14.02.2013 to 19.03.2013. One increment was stopped for his unauthorized absence from 26.05.2013 to 20.08.2013 and another increment was stopped for his unauthorized absence from 17.09.2013 to 19.04.2014. The workman did not cross-examine the management witness. The Enquiry Officer in his findings held the workman guilty of the charge of habitual absenteeism as well as his absence from duty without any prior leave. A Second Show Cause Notice was issued to the workman directing him to show cause within seven (7) days as to why no disciplinary action shall not be taken against him for the charge of misconduct. In his reply to the Second Show Cause Notice (Exhibit M-6) the workman has apologized for his conduct and prayed for allowing him to join. The management initiated a Note Sheet and the General Manager of Kajora Area on 21.05.2016 after considering the repeated misconduct of the workman and the fact that attendance record of the workman did not show any improvement, proposed for his removal from the services of the company. Accordingly, on the direction of the General Manager of Kajora Area Personnel Manager of Kajora Area issued an order of dismissal on 26.05.2016 (Exhibit M-8).

13. Mr. Rakesh Kumar, Union representative appearing for the workman argued that the charged employee could not attend his duty due to illness. He participated in the enquiry and replied to the Second Show Cause Notice. It is argued that the workman is only thirty-nine (39) years of age and he may be reinstated in service without any back wages. It is further argued that the workman was not given reasonable opportunity to take the assistance of co-worker at the time of enquiry. The Enquiry Proceeding was not fair and the order of dismissal was not passed by the controlling / appropriate authority. Therefore, the order of dismissal is liable to be set aside.

14. In reply Mr. P.K. Das, learned advocate for the management of ECL argued that the workman was a habitual absentee and he had remained absent from duty for more than six (6) months and twenty-six (26) days without any prior intimation or leave. It is argued that the past conduct of the workman was bad and he frequently remained absent from duty without any intimation for which he had been warned and his increments were stopped from time to time. Learned advocate referred to the various documents filed by the management witness and submitted that the workman failed to produce any document to show that he was under medical treatment of Dr. S. Sanyal. Furthermore, the workman made various contradictory statement at various time raising an air of doubt. Learned advocate pointed out that in his reply to the Charge Sheet the charged employee stated that he could not attend duty as he had to perform the last rite of his uncle at his native place, the workman was silent about his illness in the reply. Subsequently, he took a plea that he was absent from duty as he was suffering from Jaundice. No document has been produced in support of his medical treatment. The workman subsequently submitted a mercy petition (Exhibit W-5) where he stated that he was threatened by moneylenders and anti-socials due to which he suffered from mental tension and could not attend his duty. Learned advocate argued that the workman has been dismissed from service on the basis of a proper Domestic Enquiry and there is no scope for interference with the order.

15. I have considered the facts and circumstances of the case in the light of the evidence produced by the parties and arguments advanced on behalf of the charged employee and learned advocate for the management. The evidence on record is rife to establish that the workman was a habitual absentee on the past occasion and he did not inform the management of the company on the last occasion when he was absent for a long period, for over six (6) months. The workman was served with a proper Charge Sheet, giving him opportunity to show cause why disciplinary action shall

not be taken against him. The reply to the Show Cause Notice was submitted by Kajal Bouri (Exhibit M-2) does not disclose any satisfactory reasons for long absence of over six months for which a Domestic Enquiry was initiated after proper Notice. The workman participated in the enquiry but failed to assign reasons justifying his long unauthorized absence and also his habitual absence. The Enquiry Officer found him guilty of charge and a Second Show Cause Notice was issued to the workman. Kajal Bouri submitted his reply to the Second Show Cause Notice. The management after considering the nature of misconduct and the fact that there had been no improvement in his attendance, ordered his removal from the services of the company. The Note Sheet dated 21.05.2016 (Exhibit M-7) of the General Manager of Kajora Area reflects the decision of the General Manager to dismiss Kajal Bouri from services of the company. The order of dismissal was issued by the Area Personnel Manager of Kajora Area on approval of the General Manager of Kajora Area. Considering all these aspects I hold that there is no illegality or irregularity in the Enquiry Proceeding or the order of dismissal passed against the workman held guilty of misconduct. The punishment imposed for long and habitual absence from duty is found appropriate and justified. Therefore, there is no reason for interfering with the order of dismissal passed against Kajal Bouri. The Industrial Dispute is accordingly dismissed on contest.

Hence,

### ORDERED

That the Application under sub-section (2) and (3) of Section 2A of Industrial Disputes (Amendment) Act, 2010 is dismissed on contest. An Award be drawn up in light of the above findings. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

ANANDA KUMAR MUKHERJEE, Presiding Officer,

नई दिल्ली, 7 फरवरी, 2024

**का.आ. 629.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयर भारतीय खाद्य निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण – सह – श्रम न्यायालय अहमदाबाद, के पंचाट (संदर्भ संख्या 88/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 07/02/2024 को प्राप्त हुआ था।

[सं. एल. 22012/252/97-आई.आर. (सी.एम-II)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 7th February, 2024

**S.O. 629.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 88/2004) of the **Central Government Industrial Tribunal-cum-Labour Court Ahmedabad** as shown in the Annexure, in the industrial dispute between the Management of **Food Corporation of India** and their workmen, received by the Central Government on 07/02/2024.

[No. L-22012/252/97 – IR (CM-II)]

MANIKANDAN. N, Dy. Director

### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, AHMEDABAD

Present....

Sunil Kumar Singh-I,

Presiding Officer, CGIT cum Labour Court,

Ahmedabad,

Dated 14<sup>th</sup> December, 2023

**Reference: (CGITA) No. 88/2004**

1. The District Manager,  
Food Corporation of India,

Kali Gam, Sabarmati,  
Ahmedabad.

First Party/Employer

V/s.

The Secretary,  
Gujarat Kamgar Panchayat,  
Lallu Govardhan Chal,  
Opp. Mahalaxmi Apartment Cross Road,  
Ahmedabad.

Second Party/Workman

Adv. for the FP/employer : Shri P.F. Zaveri

Adv. for the SP workman/union : None

### AWARD

The Government of India/Ministry of Labour, New Delhi by reference adjudication Order No. L-22012/252/97-IR(CM-II) dated 16/25.06.1998 referred the dispute for adjudication to the Central Government Industrial Tribunal, Ahmedabad (Gujarat) in respect of the matter specified in the Schedule. The matter was later received by transfer on creation of this Tribunal at Ahmedabad in the year 2004.:

### SCHEDULE

“Whether the demand of regularisation as direct labour with FCI of Shri Y. Rao and 201 other casual workers of M/s. Kandla Transport Co. & various other contractors at FCI, Depot, Sabarmati, Ahmedabad from Sept. 1987 onwards for 7 to 8 years are justified? If yes, to what relief are the workmen entitled?”

1. The matter was taken up today. First Party/employer is represented through Ld. Counsels Shri P.F. Zaveri. None responded for Second Party workmen/union. The reference dates back to 16/25.06.1998. The case is fixed for SP's evidence since 21.01.2019. SP/workmen's union has not been adducing evidence despite several opportunities. SP/workmen's union was afforded last opportunity on 10.01.2023 along with additional opportunities on 02.05.2023 and 08.09.2023 to lead evidence, but for no avail. It appears that the SP/workmen has either settled the dispute out of court or is not interested to proceed further in the matter. The reference is accordingly answered to the effect that the demand of the regularisation of workmen cannot be held to be justified. The award is passed accordingly.

Let two copies of the Award be sent to the Appropriate Government for the needful and for publication U/s 17(1) of the Industrial Disputes Act, 1947.

SUNIL KUMAR SINGH-I, Presiding Officer

नई दिल्ली, 14 फरवरी, 2024

**का.आ. 630.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कीस्टल एविएशन सर्विसेज प्राइवेट लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में **केन्द्रीय सरकार औद्योगिक अधिकरण - सह - श्रम न्यायालय, नं० 1, मुंबई** के पंचाट (संदर्भ संख्या सीजीआईटी-1/07/2017) को प्रकाशित करती है, जो केन्द्रीय सरकार को **13/02/2024** को प्राप्त हुआ था।

[सं. एल-11012/15/2017-आई.आर. (सी.एम-I)]

मणिकंदन. एन, उप निदेशक

New Delhi, the 14th February, 2024

**S.O. 630.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (**Ref. REFERENCE No.CGIT- 1/07/2017**) of the **Central Government Industrial Tribunal-cum-Labour Court, No.1, Mumbai** as shown in the Annexure, in the industrial dispute between the Management of **Keystal Aviation Services Pvt.Ltd** and their workmen, received by the Central Government on **13/02/2024**.

[No. L-11012/15/2017 – IR (CM-I)]

MANIKANDAN. N, Dy. Director

**ANNEXURE**  
**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI**

PRESENT

JUSTICE K.D. BHUTIA

PRESIDING OFFICER

**REFERENCE NO. CGIT-1/7 OF 2017**

1. Mumbai International Airports Pvt. Ltd,
2. M/s. Krystal Aviation Services Pvt. Ltd, ..... 1<sup>st</sup> Party
3. M/s. Poshdecor

V/s.

Their Workmen( Bhartiya Kamgar Sena)

.....2<sup>nd</sup> Party

Presence:

For the Management No. 1 : Ms. Mitra Das, Adv.  
For the Management No. 2 : Absent  
For the Management No. 3 : Absent  
For the Union : Mr. Umesh Nabar, Adv.  
Mumbai dated the 27<sup>th</sup> day of March, 2023.

**AWARD**

Mr. Umesh Nabar, appear on behalf of the union Bhartiya kamgar sena.

Ms. Mitra Das appear on behalf of Mumbai International Airports Pvt. Ltd,

None appear on behalf of M/s. Crystal Aviation Services Pvt. Ltd, and M/s. Posh Décor.

Mr. Umesh Nabar, submits that union is no more interested to pursue the dispute raised by it to the effect "1. Whether the action of the management of M/s. Krystal Aviation Services private limited in discontinuing the services of 46 contract workmen w.e.f. 01/04/2016 as per the list enclosed on account of termination of their contract with the Principal Employer, M/s. Mumbai International Airport Private Limited is amounting to illegal termination of the services of the said workmen? 2. Whether the action of M/s. Poshdecor, the subsequent Contractor, employed by Mumbai International Airport Private Limited for the same work w.e.f. 01/04/2016 in not employing the said 46 contract workmen after the contract was awarded to them w.e.f. 01/04/2016, but deploying yet another set of workmen, is just and proper? 3. If so, whether the demand of the Bhartiya Kamgar Sena, Mumbai for reinstatement of the said 46 contract workmen by the management of M/s. Krystal Aviation Services Private Limited, Contractors, and M/s. Mumbai International Airport Services Private Limited, the Principal Employer, with back wages and continuity of service, is just and proper?" 4. If so, what relief they are entitled to?" and referred to this Tribunal by Government of India, through Ministry of Labour, vide order No. L-11012/15/2017(IR(CM-I)) dated 25.5.2017.

In view of the above "No Dispute Award" is passed and Reference No.CGIT-7 of 2017 is disposed of.

Justice K.D. BHUTIA, Presiding Officer

नई दिल्ली, 28 मार्च, 2024

**का.आ. 631.—**औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार आर्मी बेस हॉस्पिटल, किर्बी प्लेस, दिल्ली कैंट, नई दिल्ली; मेसर्स ग्रीहरि साइबर सिक्थोरिटी एंड फैसिलिटीज प्रा. लिमिटेड, साउथ पटेल नगर, नई दिल्ली, के प्रबंधन के संबंध में नियोजकों और श्रीमती रेहाना बेगम कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-1 नई दिल्ली पंचाट (संदर्भ संख्या 85/2022) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 27.03.2024 को प्राप्त हुआ था।

[सं. एल-42011/9/2022-आईआर (डीयू)]

दिलीप कुमार, अवर सचिव

New Delhi, the 28th March, 2024

**S.O. 631.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 85/2022) of the **Central Government Industrial Tribunal cum Labour Court – I, New Delhi** as shown in the Annexure, in the Industrial dispute between the employers in relation to **Army Base Hospital, Kirby Place, Delhi Cantt., New Delhi ; M/s Prehari Cyber Security and Facilities Pvt. Ltd., South Patel Nagar, New Delhi, and Smt. Rehana Begum, Worker**, which was received along with soft copy of the award by the Central Government on 27.03.2024.

[No. L-42011/9/2022 -IR (DU)]

DILIP KUMAR, Under Secy.

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM – LABOUR COURT-I, NEW DELHI

##### ID No. 85/2022

Smt. Rehana Begum W/o Mohd. Zakir Hussain

Rept. By Delhi Dalit Mazdoor Vikas Sangathan (Regd.)

CB-6, Ring Road, Narayana, New Delhi-110028

Workman...

#### Versus

1. Army Base Hospital,

Kirby Place, Delhi Cantt., New Delhi-110010

2. M/s Prehari Cyber Security and Facilities Pvt. Ltd.

8/40, First Floor, South Patel Nagar, New Delhi-110008.

Management...

#### AWARD

In the present case, a reference was received from the appropriate Government vide letter No- L-42011/9/2022 – IR (DU) dated 15.02.2022 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

#### SCHEDULE

“Whether the claim of Delhi Dalit Mazdoor Vikas Sangathan (Regd) vide letter dated 24.08.2018 that the services of Smt. Rehana Begum were terminated w.e.f. 01.08.2018 in an illegal and unjustified manner by the management of services of Army Base Hospital and M/s Prehari Cyber security and Facilities Pvt. Ltd (contractor) is proper, legal and justified? If yes, what relief the said worker is entitled to and what directions are necessary in this regard?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimant union opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favor of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put in his appearance nor he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Justice VIKAS KUNVAR SRIVASTAVA (Retd.), Presiding Officer

Date: 30.11.2023

नई दिल्ली, 28 मार्च, 2024

**का.आ. 632.**—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स मेट्रो वेस्ट हैंडलिंग प्राइवेट लिमिटेड, द्वारा - महाप्रबंधक, एमसीडी वर्कशॉप, सुभाष नगर, नई दिल्ली, के प्रबंधन के संबंध में नियोजकों और श्री सतीश कुमार, कामगार, द्वारा - भारतीय मजदूर संघ, मुख्य सागरपुर, नई दिल्ली, के बीच



अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह- श्रम न्यायालय-1 नई दिल्ली पंचाट(संदर्भ संख्या 55/2020) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 28.03.2024 को प्राप्त हुआ था।

[सं. एल-42011/28/2020 -आईआर (डीयू)]

दिलीप कुमार, अवर सचिव

New Delhi, the 28th March, 2024

**S.O. 632.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 55/2020) of the **Central Government Industrial Tribunal cum Labour Court – I, New Delhi** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Metro Waste Handling Pvt. Ltd, Through – The General Manager, MCD Workshop, Subhash Nagar, New Delhi, and Shri Satish Kumar, Worker, Through- Bhartiya Labour Union, Main Sagarpur, New Delhi**, which was received along with soft copy of the award by the Central Government on 28.03.2024.

[No. L-42011/28/2020 -IR (DU)]

DILIP KUMAR, Under Secy.

#### ANNEXURE

#### THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT DELHI – 1

#### ROOM NO. 207, ROUSE AVENUE COURT COMPLEX, NEW DELHI

#### ID No. 55/2020

Sh. Satish Kumar Through Bhartiya Labour Union,  
RZ-755, Gali No. 4/5, Main Sagarpur, New Delhi - 110046.

Claimant...

Versus

M/s Metro Waste Handling Pvt.  
Through General Manager, MCD Workshop,  
Subhash Nagar, New Delhi- 110027

Management...

None for the claimant

None for the management

#### AWARD

In the present case, a reference was received from the appropriate Government vide letter No. L-42011/28/2020 -IR(DU) dated 17.07.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

#### SCHEDULE

“Whether the termination of the services of Shri Satish Kumar w.e.f. 30.06.2016 by the management of M/s Metro Waste Handling Private Limited, New Delhi is proper, legal and justified? If not, to what relief is he entitled and what directions, if any, are necessary in this regard?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, Claimant union opted not to file the claim statement with the Tribunal.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favor of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the

proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put in his appearance nor he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

Justice VIKAS KUNVAR SRIVASTAVA (Retd.), Presiding Officer

Date: 28.11.2023

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 633.**—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रीय केमिकल्स एंड फर्टीलाइज़र्स लिमिटेड (थल यूनिट) के कारखानों और स्थापनों के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से छूट प्रदान करती है।

2. यह छूट, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से एक वर्ष की अवधि के लिए प्रभावी होगी।

3. छूट निम्नलिखित शर्तों के अधीन है; अर्थात्:-

- (1) कारखाने और स्थापना, एक रजिस्टर का रखरखाव करेंगे, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम विनिर्दिष्ट होंगे;
- (2) कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट प्रवृत्त होने की तारीख से पूर्व संदत्त अभिदाय के आधार पर हकदार हो जाते हैं;
- (3) छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही संदत्त हैं, तो उनका प्रतिदाय नहीं होगा;
- (4) उक्त कारखाने और स्थापन का नियोजक, उस अवधि की बाबत जिसके दौरान वह कारखाना उक्त अधिनियम (जिसे इसमें इसके पश्चात उक्त अवधि कहा गया है) के प्रचालन के अधीन था, ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विशिष्टियों से सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप धारा (1) के अधीन नियुक्त किया गया कोई सामाजिक सुरक्षा अधिकारी या निगम का इस निमित्त इसके द्वारा प्राधिकृत कोई अन्य पदधारी, -
  - (i) उक्त अधिनियम की धारा 44 की उप धारा (1) के अधीन, उक्त अवधि के लिए प्रस्तुत किसी विवरण में अंतर्विष्ट विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या
  - (ii) कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं, का अभिनिश्चय करने के प्रयोजनार्थ; या
  - (iii) कर्मचारी को नियोजक द्वारा दी गई प्रसुविधाओं को नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, का अभिनिश्चय करने के प्रयोजनार्थ; या
  - (iv) उस अवधि के दौरान, जब उक्त कारखाने और स्थापन के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, का अभिनिश्चय करने के प्रयोजनार्थ निम्नलिखित कार्य करने के लिए सशक्त होगा-
    - (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जैसा वह इस अधिनियम के प्रयोजन के लिए आवश्यक समझे; या
    - (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जो वह आवश्यक समझे; या



- (ग) प्रधान या अव्यवहित नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, या अन्य व्यक्ति जिस पर उक्त निरीक्षक या अन्य पदधारी को विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, की परीक्षा करना; या
- (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की प्रतियां तैयार करना या उद्धरण लेना; या
- (ङ) यथानिर्धारित ऐसी अन्य शक्तियों का प्रयोग करना।
- (6) विनिवेश या निगमीकरण की दशा में, अनुदत्त छूट रद्द हो जाएगी और तब नए अस्तित्व छूट के लिए समुचित सरकार को आवेदन कर सकेंगे।

[फा. सं. एस-38014/05/2020-एस एस-1]

धीरेंद्र मोहन खरे, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 633.**—In exercise of the powers conferred by section 88 read with section 91 A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the regular employees of factories and establishments of Rashtriya Chemicals and Fertilizers Limited (Thal unit) from the operation of the said Act.

2. The exemption shall be effective for a period of one year from the date of publication of this notification in the Official Gazette.
  3. The exemption is subject to the following conditions, namely:-
    - (1) the factories and establishments shall maintain a register of the employees specifying the names and designations of the exempted employees;
    - (2) the employees shall continue to receive such benefits under the said Act to which they would have been entitled to on the basis of the contribution paid prior to the date from which exemption granted by this notification operates;
    - (3) the contribution for the exempted period, if already paid, shall not be refundable;
    - (4) the employer of the said factory and establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;
    - (5) a Social Security Officer appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf by it shall for the purpose of, —
      - (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said Act for the said period; or
      - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
      - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
      - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory and establishment,
- to be empowered to —
- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary for the purpose of this Act; or
  - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or

- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
  - (d) make copies of or take extracts from any register, account, book or other document maintained in such factory, establishment, office or other premises; or
  - (e) exercise such other powers as may be specified.
- (6) in case of disinvestment or corporatisation, the exemption granted shall stand cancelled and the new entity may apply to the appropriate Government for exemption.

[F. No. S-38014/05/2020-SS-I]

D.M. KHARE, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 634.**—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91 के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, हिंदुस्तान पेट्रोलियम कॉरपोरेशन लिमिटेड के कारखानों और स्थापनों के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से छूट प्रदान करती है।

2. यह छूट राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से एक वर्ष की अवधि के लिए प्रभावी होगी।

3. छूट निम्नलिखित शर्तों के अधीन है, अर्थात्:-

- (1) कारखाना और स्थापन छूट प्राप्त कर्मचारियों के नाम और पदनाम विनिर्दिष्ट करते हुए, कर्मचारियों का एक रजिस्टर रखेगी;
- (2) कर्मचारी उक्त अधिनियम के अधीन ऐसे फायदे प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अभिदाय के आधार पर हकदार हो जाते हैं;
- (3) छूट प्राप्त अवधि के लिए अभिदाय, यदि पहले ही संदत्त किए जा चुके हों, तो वे प्रतिदेय नहीं होंगे;
- (4) उक्त कारखाने और स्थापन का नियोजक उस अवधि की बाबत जिसके दौरान उस कारखाने पर उक्त अधिनियम (जिसे इसमें इसके पश्चात उक्त अवधि कहा गया है) प्रवर्तन के अध्यक्षीन था ऐसी विवरणियां, ऐसे प्ररूपों में और ऐसी विशिष्टियों से युक्त होगी जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
- (5) उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन निगम द्वारा नियुक्त किया गया कोई सामाजिक सुरक्षा अधिकारी या निगम का इस प्रयोजन के लिए इस निमित्त प्राधिकृत कोई अन्य पदधारी, -
  - (i) उक्त अधिनियम की धारा 44 की उपधारा (1) के अधीन, उक्त अवधि के लिए प्रस्तुत किसी विवरणी में अंतर्विष्ट विशिष्टियों को सत्यापित करने; या
  - (ii) यह अभिनिश्चयन करने के लिए कि उक्त अवधि के लिए कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख रखे गये थे या नहीं; या
  - (iii) यह अभिनिश्चयन करने के लिए कि कर्मचारी, नियोजक द्वारा प्रदत्त किए गए उन फायदों को, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नकद में और वस्तु रूप में पाने का हकदार है या नहीं; या

(iv) यह अभिनिश्चयन के लिए कि उस अवधि के दौरान, जब उक्त कारखाने और स्थापन के संबंध में अधिनियम के उपबंध प्रवृत्त थे, ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं, निम्नलिखित कार्य करने के लिए सशक्त होगा -

(क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जिसे इस अधिनियम के प्रयोजन के लिए आवश्यक समझे; या

(ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापना, कार्यालय या अन्य परिसर में किसी भी युक्तियुक्त समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह कार्मिक के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या उनको ऐसी जानकारी दें जो वह आवश्यक समझे; या

(ग) प्रधान या अव्यवहित नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति की, जो ऐसे कारखाने, स्थापना, कार्यालय या अन्य परिसर में पाया जाए, जिसके बारे में उक्त निरीक्षक या अन्य पदधारी को यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, परीक्षा करना; या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की प्रतिया तैयार करना या उद्धरण लेना; या

(ङ) ऐसी अन्य शक्तियों का प्रयोग करना जो विनिर्दिष्ट की जाए।

(6) अपविनिधान या निगमीकरण की दशा में, प्रदत्त छूट स्वतः रद्द हो जाएगी और तब नई इकाई छूट के लिए समुचित सरकार को आवेदन कर सकेगी।

[फा. सं. एस-38014/09/2020-एस एस-1]

धीरेंद्र मोहन खरे, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 634.**—In exercise of the powers conferred by section 88 read with section 91 A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the regular employees of factories and establishments of Hindustan Petroleum Corporation Limited from the operation of the said Act.

2. The exemption shall be effective for a period of one year from the date of publication of this notification in the Official Gazette.

3. The exemption is subject to the following conditions, namely:-

(1) the factories and establishments shall maintain a register of the employees specifying the names and designations of the exempted employees;

(2) the employees shall continue to receive such benefits under the said Act to which they would have been entitled to on the basis of the contribution paid prior to the date from which exemption granted by this notification operates;

(3) the contribution for the exempted period, if already paid, shall not be refundable;

(4) the employer of the said factory and establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) a Social Security Officer appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf by it shall for the purpose of,-

- (i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said Act for the said period; or
  - (ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or
  - (iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or
  - (iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory and establishment,
- to be empowered to —
- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary for the purpose of this Act; or
  - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
  - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
  - (d) make copies of or take extracts from any register, account, book or other document maintained in such factory, establishment, office or other premises; or
  - (e) exercise such other powers as may be specified.
- (6) in case of disinvestment or corporatisation, the exemption granted shall stand cancelled and the new entity may apply to the appropriate Government for exemption.

[F. No. S-38014/09/2020-SS-I]

D.M. KHARE, Under Secy.

नई दिल्ली, 1 अप्रैल, 2024

**का.आ. 635.**—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91क के साथ पठित धारा 88 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बीईएमएल लिमिटेड के कारखानों/स्थापनों के नियमित कर्मचारियों को उक्त अधिनियम के प्रवर्तन से छूट प्रदान करती है।

2. यह छूट, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से एक वर्ष की अवधि के लिए प्रभावी होगी।

3. छूट निम्नलिखित शर्तों के अधीन है; अर्थात्:-

- (1) कारखाने तथा स्थापन एक रजिस्टर का रखरखाव करेंगे, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदनाम विनिर्दिष्ट होंगे;
- (2) कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे जिनको पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संदत्त अभिदाय के आधार पर हकदार हो जाते हैं;
- (3) छूट प्राप्त अवधि के लिए, यदि कोई अभिदाय पहले ही संदत्त हैं, तो उनका प्रतिदाय नहीं होगा;
- (4) उक्त कारखाने और स्थापन का नियोजक, उस अवधि की बाबत जिसके दौरान वह कारखाना उक्त अधिनियम (जिसे इसमें इसके पश्चात उक्त अवधि कहा गया है) के प्रचालन के अधीन था, ऐसी विवरणियां, ऐसे प्ररूप में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देनी अपेक्षित होती थीं;
- (5) निगम द्वारा उक्त अधिनियम की धारा 45 की उपधारा (1) के अधीन नियुक्त किया गया कोई सामाजिक सुरक्षा अधिकारी या निगम का इस निमित्त इसके द्वारा प्राधिकृत कोई अन्य पदधारी, -

- (i) उक्त अधिनियम की धारा 44 की उपधारा (1) के अधीन, उक्त अवधि के लिए प्रस्तुत किसी विवरण में अंतर्विष्ट विशिष्टियों को सत्यापित करने के प्रयोजनार्थ; या
  - (ii) कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथाअपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं, का अभिनिश्चय करने के प्रयोजनार्थ; या
  - (iii) कर्मचारी को नियोजक द्वारा दी गई प्रसुविधाओं को नकद में और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं, जिसके फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, का अभिनिश्चय करने के प्रयोजनार्थ; या
  - (iv) उस अवधि के दौरान, जब उक्त कारखाने और स्थापन के संबंध में अधिनियम के उपबंध प्रवृत्त थे। ऐसे किन्हीं उपबंधों का अनुपालन किया गया था या नहीं का अभिनिश्चय करने के प्रयोजनार्थ, निम्नलिखित कार्य करने के लिए सशक्त होगा:-
    - (क) प्रधान या अव्यवहित नियोजक से अपेक्षा करना कि वह उसे ऐसी जानकारी दे जैसा वह इस अधिनियम के प्रयोजन के लिए आवश्यक समझे; या
    - (ख) ऐसे प्रधान या अव्यवहित नियोजक के अधिभोगाधीन, किसी कारखाने, स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय से संबंधित ऐसे लेखा, बहियां और अन्य दस्तावेज, ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करें और उनकी परीक्षा करने दें या ऐसी जानकारी दें जो वह आवश्यक समझे या
    - (ग) प्रधान या अव्यवहित नियोजक की, उसके अभिकर्ता या सेवक की, या ऐसे किसी व्यक्ति को, जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए या अन्य व्यक्ति जिस पर उक्त निरीक्षक या अन्य पदधारी को विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी है, की परीक्षा करना; या
    - (घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गए किसी रजिस्टर, लेखा, बही या अन्य दस्तावेज की प्रतियां बनाना या उद्धरण लेना; या
    - (ङ) यथानिर्धारित ऐसी अन्य शक्तियों का प्रयोग करना।
6. विनिवेश/निगमीकरण की दशा में, अनुदत्त छूट रद्द हो जाएगी और तब नए अस्तित्व छूट के लिए समुचित सरकार को आवेदन कर सकेंगे।

[फा. सं. एस-38014/06/2020-एस.एस-1]

धीरेंद्र मोहन खरे, अवर सचिव

New Delhi, the 1st April, 2024

**S.O. 635.**—In exercise of the powers conferred by section 88 read with section 91 A of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby exempts the regular employees of factories and establishments of BEML Limited from the operation of the said Act.

2. The exemption shall be effective for a period of one year from the date of publication of this notification in the Official Gazette.
3. The exemption is subject to the following conditions, namely:-
  - (1) the factories and establishments shall maintain a register of the employees specifying the names and designations of the exempted employees;
  - (2) the employees shall continue to receive such benefits under the said Act to which they would have been entitled to on the basis of the contribution paid prior to the date from which exemption granted by this notification operates;
  - (3) the contribution for the exempted period, if already paid, shall not be refundable;
  - (4) the employer of the said factory and establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred as the said period), such

returns in such forms and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) a Social Security Officer appointed by the Corporation under sub-section (1) of section 45 of the said Act or other official of the Corporation authorised in this behalf by it shall for the purpose of, —

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 of the said Act for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory and establishment,

to be empowered to —

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary for the purpose of this Act; or
  - (b) at any reasonable time enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found in charge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
  - (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee ; or
  - (d) make copies of or take extracts from any register, account, book or other document maintained in such factory, establishment, office or other premises; or
  - (e) exercise such other powers as may be specified.
- (6) in case of disinvestment or corporatisation, the exemption granted shall stand cancelled and the new entity may apply to the appropriate Government for exemption.

[F. No. S-38014/06/2020-SS-I]

D.M. KHARE, Under Secy.

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 636.**—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स बाँम्बे इंटेलिजेंस सिक्योरिटी, (इंडिया) लिमिटेड के प्रबंधन के संबद्ध नियोजकों और श्री लाल बहादुर नाइक के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, भुवनेश्वर, पंचाट (रिफरेन्स न.- 58/2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024- आईआर(एम)-37]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 636**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 58/2021**) of the **Central Government Industrial Tribunal cum Labour Court, Bhubaneswar** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Bombay Intelligence Security, (India) Ltd., and Sri Lal Bahadur Naik** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. Z-16025/04/2024-IR(M)-37]

DILIP KUMAR, Under Secy.

**ANNEXURE****CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR**

Present:

Sri Dinesh Kumar Singh,  
Presiding Officer, C.G.I.T.-cum-Labour Court,  
Bhubaneswar.

**INDUSTRIAL DISPUTE CASE NO. 58/2021****Date of Passing Order – 24<sup>th</sup> January, 2024**

Between:

The Director, M/s. Bombay Intelligence  
Security,(India) Ltd., 101, Omega House,  
Hiranandani Gardens, Powai, Mumbai – 400076.  
... 1<sup>st</sup> Party-Management.  
(And)

Sri Lal Bahadur Naik, S/o. Girish Ch. Naik,  
Vill. Baddelu, Po. Sanadeuli, Dist.- Mayurbhanj,  
Odisha.

... 2<sup>nd</sup> Party-Workman.

Appearances:

None. ... For the 1<sup>st</sup> Party-Management.  
None. ... For the 2<sup>nd</sup> Party-Workman.

**ORDER**

In the present case, a reference was received from the office of the Deputy Chief Labour Commissioner (Central), Bhubaneswar vide order No. 8(37)/2020-B.iv/ADJ/21-B.I, dated 29<sup>th</sup> September, 2021 under clause (d) of sub-section(1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 for adjudication of a dispute, under the following schedule:-

“Whether the action of the Management of M/s. Institute of Minerals & Materials Technology, Bhubaneswar and its contractors i.e. m/s. Bombay Intelligence Security (India) Ltd., by terminating the services of Sri Lal Bahadur Naik without giving termination/compensation benefits and M/s. Industrial Security & Allied

Services Pvt. Ltd., by not providing re-employment to Sri Lal Bahadur Naik is legal & or justified”. If not what relief the workman is entitled for?

2. In the reference order, the Deputy chief Labour Commissioner (Central), Bhubaneswar commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to each one of the opposite parties involved in the dispute.

3. Despite directions so given, no statement of claim is received from the 2<sup>nd</sup> party-workman.

4. On receipt of the above reference, notice was sent to the 2<sup>nd</sup> Party-Workman on 20.12.2021 and on dated 17.04.2023 for appearance and for filing of statement of claim. Neither the postal article sent to the 2<sup>nd</sup> Party-Workman, referred to above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred to above. Therefore, every presumption lies in favour of the fact that the above notices were served upon the 2<sup>nd</sup> Party-Workman. Despite service of the notice, the 2<sup>nd</sup> Party-Workman opted to abstain away from the proceedings. No claim statement was filed on its behalf. Thus, it is clear that the 2<sup>nd</sup> Party-Workman is not interested in adjudication of the reference on merits.

5. Since the 2<sup>nd</sup> Party-Workman has neither filed statement of claim nor has led any evidence so as to prove its cause against the Management, it is presumed that there is no claim of workman against the Management.

6. In view of such, no claim Order is passed by this Tribunal.

7. Let this order be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

DINESH KUMAR SINGH, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2024

का.आ. 637—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स इंस्टीट्यूट ऑफ़ मिनेरल्स एंड मैटेरियल्स टेक्नोलॉजी, (आईएमएमटी); मेसर्स बॉम्बे इंटेलिजेंस सिक्योरिटी (इंडिया) लिमिटेड के प्रबंधन के संबद्ध नियोजकों और श्री रमेश महापात्र के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, भुवनेश्वर, पंचाट (रिफरेन्स नं.- 59/2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024- आईआर(एम)-18]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 637.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 59/2021**) of the **Central Government Industrial Tribunal cum Labour Court, Bhubaneswar** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Institute of Minerals & Materials Technology, (IMMT); M/s Bombay Intelligence Security, (India) Ltd., and Sri Ramesh Mohapatra** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. Z-16025/04/2024-IR(M)-18]

DILIP KUMAR, Under Secy.

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

Present:

Sri Dinesh Kumar Singh,  
Presiding Officer, C.G.I.T.-cum-Labour Court,  
Bhubaneswar.

#### INDUSTRIAL DISPUTE CASE NO. 59/2021

Date of Passing Order – 24<sup>th</sup> January, 2024

Between:

1. The Director, M/s. Institute of Minerals & Materials Technology, (IMMT), Sachivalya Marg, RRL Campus, Acharya Vihar, Bhubaneswar, Odisha – 751013, Bhubaneswar.
  2. The Director, M/s. Bombay Intelligence Security (India) Ltd., 101, Omega House, Biranandani gardens, Powai, Mumbai – 400 076.
- ... 1<sup>st</sup> Party-Managements.

(And)

Sri Ramesh Mohapatra, S/o. Dibakar Mohapatra,  
At. Arapur, Po Dulanapur, Cuttack – 754 007

... 2<sup>nd</sup> Party-Workman.

Appearances:

None. ... For the 1<sup>st</sup> Party-Management.  
None. ... For the 2<sup>nd</sup> Party-Workman.

#### ORDER

In the present case, a reference was received from the office of the Deputy Chief Labour Commissioner (Central), Bhubaneswar vide order No. 8(29)/2020-B.IV/ADJ/21/B.I, dated 17<sup>th</sup> September, 2021 under clause (d) of



sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 for adjudication of a dispute, under the following schedule:-

“Whether the action of M/s. Bombay Intelligence Security (India) Ltd., the contractor of the management of M/s. Institute of Minerals of Materials Technology, Bhubaneswar terminating the service of Sri Ramesh Mohapatra (Security Guard) without retrenchment benefits is just, fair and legal? If not to what relief the concerned workman is entitled to?

2. In the reference order, the Deputy chief Labour Commissioner (Central), Bhubaneswar commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to each one of the opposite parties involved in the dispute.

3. Despite directions so given, no statement of claim is received from the 2<sup>nd</sup> party-workman.

4. On receipt of the above reference, notice was sent to the 2<sup>nd</sup> Party-Workman on 20.12.2021 and on dated 17.04.2023 for appearance and for filing of statement of claim. Neither the postal article sent to the 2<sup>nd</sup> Party-Workman, referred to above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred to above. Therefore, every presumption lies in favour of the fact that the above notices were served upon the 2<sup>nd</sup> Party-Workman. Despite service of the notice, the 2<sup>nd</sup> Party-Workman opted to abstain away from the proceedings. No claim statement was filed on its behalf. Thus, it is clear that the 2<sup>nd</sup> Party-Workman is not interested in adjudication of the reference on merits.

5. Since the 2<sup>nd</sup> Party-Workman has neither filed statement of claim nor has led any evidence so as to prove its cause against the Management, it is presumed that there is no claim of workman against the Management.

6. In view of such, no claim Order is passed by this Tribunal.

7. Let this order be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

DINESH KUMAR SINGH, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 638.**—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पूर्वोत्तर रेलवे के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, **कानपुर** के पंचाट (20/2021) प्रकाशित करती है।

[सं. एल 12025/01/2023-आई आर (बी-1)-77]

सलोनी, उप निदेशक

New Delhi, the 2nd April, 2024

**S.O. 638.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 20/2021) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur* as shown in the Annexure, in the industrial dispute between the management of North Eastern Railway and their workmen.

[No. L-12025/01/2023- IR(B-I)-77]

SALONI, Dy. Director

**ANNEXURE****Before Shri Soma Shekhar Jena, Presiding Officer****CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT****KANPUR****PRESENT****SOMA SHEKHAR JENA****HJS (Retd.)****I.D. No. 20 of 2021****BETWEEN**

Chandra Ram Yadav S/o Trivedi Yadav  
22, Orawah Sohratgarh Siddharth Nagar, U.P -272201

**AND**

1. The General Manager, M/s A to Z Infra Services Ltd,  
O-116, 1st Floor, Shopping Mall, Arjun Marg, DLF City  
Phase-I Gurgaon (Haryana) 122602 Divisional Railway.
2. Manager, North Eastern Railway Lucknow Division Ashok, Marg,  
Lucknow 226001

**AWARD**

This award arises in respect of the case raised under section 2A of Industrial Dispute Act, 1947 on 08.04.2021

The averments of the claimant workman may be concisely stated as follows:-

The claimant workman was engaged by the O.P management No.1 on the post of sweeper on Gorakhpur Junction Railway Station and claimant workman started discharging his duty from 13.03.2012.

The period for which the claimant workman discharged his duty was satisfactory. The O.P management never issued any complaint or charge sheet to the claimant workman. Claimant workman worked for the O.P management continuously without any interruption or break till his service was terminated which was done orally.

It is vehemently claimed by the claimant workman that the nature of his job was permanent and he also worked for the O.P management for more than 240 days continuously without any intervention from the date of joining. It is further stated by claimant workman that he provided his service to the O.P management and hence it is responsible for him and will come under purview of all laws related to employee employer relationship.

All the payment of wages were provided to the claimant workman through banks. It is further alleged by the claimant workman that he was paid below the minimum wages described as per the guidelines of the government under Minimum Wage Act, 1948.

Though claimant workman raised his demand vehemently for benefits like minimum wage Provident fund and insurance but O.P management did not fulfill demands. Claimant workman complained about it to the higher authority.

The service of the Claimant workman was terminated orally from 10.04.2018. It is further stated that the claimant workman was neither served with any written notice nor given any compensation for retrenchment. in gross violation of the provisions of the Industrial Disputes Act, 1947.

It is prayed on behalf of the claimant workman before this Tribunal to quash the illegal decision of the O.P management of terminating his service and O.P management should be directed to reinstate the claimant workman from the date of termination with all the consequential benefits which claimant workman was demanding and any other benefit as deemed fit in the eye of the law.

On perusal of the record it is found an application of withdrawal was filed in which it is mentioned that the claimant workman and O.P management reached an agreement and claimant workman was not further interested in prosecuting the case and was withdrawing the case.

In the given circumstance the case is disposed of as of 'NIL AWARD'.

Parties are left to bear their respective costs.

SOMA SHEKHAR JENE, Presiding Officer

Date: 01.08.

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 639.**—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स इंस्टीट्यूट ऑफ़ मिनरल्स एंड मैटेरियल्स टेक्नोलॉजी, (आईएमएमटी); मेसर्स बॉम्बे इंटेलिजेंस सिक्योरिटी (इंडिया) लिमिटेड के प्रबंधतंत्र के संबद्ध नियोजकों और श्री अक्षय कुमार नायक के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, भुवनेश्वर, पंचाट (रिफरेन्स न.- 60/2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024- आईआर(एम)-27]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 639.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 60/2021**) of the **Central Government Industrial Tribunal cum Labour Court, Bhubaneswar** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Institute of Minerals & Materials Technology, (IMMT); M/s Bombay Intelligence Security, (India) Ltd., and Sri Akshaya Kumar Nayak** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. Z-16025/04/2024-IR(M)-27]

DILIP KUMAR, Under Secy.

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

Present:

Sri Dinesh Kumar Singh,  
Presiding Officer, C.G.I.T.-cum-Labour Court,  
Bhubaneswar.

#### INDUSTRIAL DISPUTE CASE NO. 60/2021

Date of Passing Order – 24<sup>th</sup> January, 2024

Between:

1. The Director, M/s. Institute of Minerals & Materials Technology (IMMT), Sachivalaya Marg, RRL Campus, Acharya Vihar, Bhubaneswar, Odisha – 751 013.
2. The Director, M/s. Bombay Intelligence Security, (India) Ltd., 101, Omega House, Hiranandani Gardens, Powai, Mumbai – 400076.

... 1<sup>st</sup> Party-Managements.

(And)

Sri Akshaya Kumar Nayak, S/o. AnadiCharanNayak,  
Vill./Po. Kapileswar, Dist. Kendrapara.

... 2<sup>nd</sup> Party-Workman.

Appearances:

None.	...	For the 1 <sup>st</sup> Party-Management.
None.	...	For the 2 <sup>nd</sup> Party-Workman.

**ORDER**

In the present case, a reference was received from the office of the Deputy Chief Labour Commissioner (Central), Bhubaneswar vide order No. 8(34)/2020-B.IV/ADJ/21/B.I, dated 17<sup>th</sup> September, 2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 for adjudication of a dispute, under the following schedule:-

“Whether the action of M/s. Bombay Intelligence Security (India) Ltd., the contractor of the management of M/s. Institute of Minerals & Materials Technology, Bhubaneswar, terminating the service of Sri Akshaya Kumar Nayak (Security Guard) without retrenchment benefits is just, fair and legal? If not, to what relief the concerned workman is entitled to?

2. In the reference order, the Deputy chief Labour Commissioner (Central), Bhubaneswar commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to each one of the opposite parties involved in the dispute.

3. Despite directions so given, no statement of claim is received from the 2<sup>nd</sup> party-workman.

4. On receipt of the above reference, notice was sent to the 2<sup>nd</sup> Party-Workman on 20.12.2021 and on dated 17.04.2023 for appearance and for filing of statement of claim. Neither the postal article sent to the 2<sup>nd</sup> Party-Workman, referred to above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred to above. Therefore, every presumption lies in favour of the fact that the above notices were served upon the 2<sup>nd</sup> Party-Workman. Despite service of the notice, the 2<sup>nd</sup> Party-Workman opted to abstain away from the proceedings. No claim statement was filed on its behalf. Thus, it is clear that the 2<sup>nd</sup> Party-Workman is not interested in adjudication of the reference on merits.

5. Since the 2<sup>nd</sup> Party-Workman has neither filed statement of claim nor has led any evidence so as to prove its cause against the Management, it is presumed that there is no claim of workman against the Management.

6. In view of such, no claim Order is passed by this Tribunal.

7. Let this order be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

DINESH KUMAR SINGH, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 640.**—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पूर्वोत्तर रेलवे के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, **कानपुर** के पंचाट (21/2021) प्रकाशित करती है।

[सं. एल 12025/01/2023-आई आर (बी-1)-79]

सलोनी, उप निदेशक

New Delhi, the 2nd April, 2024

**S.O. 640.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 21/2021) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur* as shown in the Annexure, in the industrial dispute between the management of North Eastern Railway and their workmen.

[No. L-12025/01/2023- IR(B-I)-79]

SALONI, Dy. Director

**ANNEXURE**

Before Shri Soma Shekhar Jena, Presiding Officer

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT**

**KANPUR**

**PRESENT**

**SOMA SHEKHAR JENA**

**HJS (Retd.)**

**I.D. No. 21 of 2021**

**BETWEEN**

Mohd Sharif, S/o Abdul Hakim, Resident- Jagal Matadin,  
Padri Bazar, Salikaram, Gorakhpur, Uttar Pradesh-273014

**AND**

1. The General Manager, M/s A to Z Infra Services Ltd,  
O-116, 1st Floor, Shopping Mall, Arjun Marg, DLF City  
Phase-I Gurgaon (Haryana) 122602 Divisional Railway.
2. Manager, North Eastern Railway Lucknow Division Ashok, Marg,  
Lucknow 226001

**AWARD**

This award arises in respect of the case raised under section 2A of Industrial Dispute Act, 1947 on 08.04.2021

The averments of the claimant workman may be concisely stated as follows:-

The claimant workman was engaged by the O.P management No.1 on the post of sweeper on Gorakhpur Junction Railway Station and claimant workman started discharging his duty from 15.10.2016.

The period for which the claimant workman discharged his duty was satisfactory. The O.P management never issued any complaint or charge sheet to the claimant workman. Claimant workman worked for the O.P management continuously without any interruption or break till his service was terminated which was done orally.

It is vehemently claimed by the claimant workman that the nature of his job was permanent and he also worked for the O.P management for more than 240 days continuously without any intervention from the date of joining. It is further stated by claimant workman that he provided his service to the O.P management and hence it is responsible for him and will come under purview of all laws related to employee employer relationship.

All the payment of wages were provided to the claimant workman through banks. It is further alleged by the claimant workman that he was paid below the minimum wages described as per the guidelines of the government under Minimum Wage Act, 1948.

Though claimant workman raised his demand vehemently for benefits like minimum wage Provident fund and insurance but O.P management neglected his demand and assurances were given to him. Claimant workman complained about it to the higher authority.

The service of the Claimant workman was terminated orally from 10.04.2018. It is further stated that the claimant workman was neither served with any written notice or given any compensation for retrenchment. It was clearly violation of the provisions of the Industrial Disputes Act, 1947.

It is prayed on behalf of the claimant workman before this Tribunal to quash the illegal decision of the O.P management of terminating his service and O.P management should be directed to reinstate the claimant workman from the date of termination with all the benefits which claimant workman was demanding and any other benefits as deemed fit in the eye of the law.

On perusal of the record it is found an application of withdrawal was filed in which it is mentioned that the claimant workman and O.P management reached an agreement and claimant workman was not further interested in prosecuting the case and was withdrawing the case.

In the given circumstance the case is disposed of as 'NIL AWARD'.

Parties are left to bear their respective costs.

SOMA SHEKHAR JENE, Presiding Officer

Date: 28.07.2024

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 641.**—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पूर्वोत्तर रेलवे के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (19/2021) प्रकाशित करती है।

[सं. एल 12025/01/2023-आई आर (बी-1)-78]

सलोनी, उप निदेशक

New Delhi, the 2nd April, 2024

**S.O. 641.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 19/2021) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Kanpur* as shown in the Annexure, in the industrial dispute between the management of North Eastern Railway and their workmen.**

[No. L-12025/01/2023- IR(B-I)-78]

SALONI, Dy. Director

**ANNEXURE**

**Before Shri Soma Shekhar Jena, Presiding Officer**

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT**

**KANPUR**

**PRESENT**

**SOMA SHEKHAR JENA**

**HJS (Retd.)**

**I.D. No. 19 of 2021**

**BETWEEN**

Rajesh Kumar, S/o Late Ram Singhasan,  
299, R near Samme Mate Mandir Saraswati Puram-1  
Shivpur Gorakhpur Uttar Pradesh-273014

**AND**

1. The General Manager, M/s A to Z Infra Services Ltd,  
O-116, 1st Floor, Shopping Mall, Arjun Marg, DLF City  
Phase-I Gurgaon (Haryana) 122602 Divisional Railway.
2. Manager, North Eastern Railway Lucknow Division Ashok, Marg,  
Lucknow 226001

**AWARD**

This award arises in respect of the case raised under section 2A of Industrial Dispute Act, 1947 on 08.04.2021

The averments of the claimant workman may be concisely stated as follows:-

The claimant workman was engaged by the O.P management No.1 on the post of sweeper on Gorakhpur Junction Railway Station and claimant workman started discharging his duty from 12.11.2016.

The period for which the claimant workman discharged his duty was satisfactory. The O.P management never issued any complaint or charge sheet to the claimant workman. Claimant workman worked for the O.P management continuously without any interruption or break till his service was terminated which was done orally.

It is vehemently claimed by the claimant workman that the nature of his job was permanent and he also worked for the O.P management for more than 240 days continuously without any intervention from the date of joining. It is further stated by claimant workman that he provided his service to the O.P management and hence it is responsible for him and will come under purview of all laws related to employee employer relationship.

All the payment of wages were provided to the claimant workman through banks. It is further alleged by the claimant workman that he was paid below the minimum wages described as per the guidelines of the government under Minimum Wage Act, 1948.

Though claimant workman raised his demand vehemently for benefits like minimum wage Provident fund and insurance but O.P management did not fulfil demands. Claimant workman complained about it to the higher authority.

The service of the Claimant workman was terminated orally from 10.04.2018. It is further stated that the claimant workman was neither served with any written notice nor given any compensation for retrenchment. in gross violation of the provisions of the Industrial Disputes Act, 1947.

It is prayed on behalf of the claimant workman before this Tribunal to quash the illegal decision of the O.P management of terminating his service and O.P management should be directed to reinstate the claimant workman from the date of termination with all the consequential benefits which claimant workman was demanding and any other benefit as deemed fit in the eye of the law.

On perusal of the record it is found an application of withdrawal was filed in which it is mentioned that the claimant workman and O.P management reached an agreement and claimant workman was not further interested in prosecuting the case and was withdrawing the case.

In the given circumstance the case is disposed of as of 'NIL AWARD'.

Parties are left to bear their respective costs.

SOMA SHEKHAR JENA, Presiding Officer

Date: 31.07.2023

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 642.**—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स इंस्टीट्यूट ऑफ़ मिनेरल्स एंड मैटेरियल्स टेक्नोलॉजी, (आईएमएमटी); मेसर्स बॉम्बे इंटेलिजेंस सिक्योरिटी (इंडिया) लिमिटेड के प्रबंधन के संबद्ध नियोजकों और श्री परसुराम जेना के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, भुवनेश्वर, पंचाट (रिफरेन्स नं.- 61/2021) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. जेड-16025/04/2024- आईआर(एम)-19]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 642.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 61/2021**) of the **Central Government Industrial Tribunal cum Labour Court, Bhubaneswar** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Institute of Minerals & Materials Technology, (IMMT); M/s Bombay Intelligence Security, (India) Ltd., and Sri Parsuram Jena** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. Z-16025/04/2024-IR(M)-19]

DILIP KUMAR, Under Secy.

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT BHUBANESWAR

Present:

Sri Dinesh Kumar Singh,  
Presiding Officer, C.G.I.T.-cum-Labour Court,  
Bhubaneswar.

#### INDUSTRIAL DISPUTE CASE NO. 61/2021

Date of Passing Order – 24<sup>th</sup> January, 2024

Between:

1. The Director, M/s. Institute of Minerals & Materials Technology(IMMT), Sachivalaya Marg, RRL Campus, Acharya Vihar, Bhubaneswar, Odisha – 751 013.
2. The Director, M/s. Bombay Intelligence Security, (India) Ltd., 101, Omega House, Hiranandani Gardens, Powai, Mumbai – 400076.

... 1<sup>st</sup> Party-Managements.

(And)

Sri Parsuram Jena, S/o. Dasarathi Jena,  
Vill/Po. Dumduma, Dist. Khurda – 751 019.

... 2<sup>nd</sup> Party-Workman.

Appearances:

None. ... For the 1<sup>st</sup> Party-Managements.

None. ... For the 2<sup>nd</sup> Party-Workman.

### ORDER

In the present case, a reference was received from the office of the Deputy Chief Labour Commissioner (Central), Bhubaneswar vide order No. 8(31)/2020-B.IV/ADJ/21/B.I, dated 17<sup>th</sup> September, 2021 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 for adjudication of a dispute, under the following schedule:-

“Whether the action of M/s. Bombay Intelligence Security (India) Ltd., the contractor of the management of M/s. Institute of Minerals of Materials Technology, Bhubaneswar, terminating the service of Sri Parsuram Jena (Security

Guard) without retrenchment benefits is just, fair and legal? If not to what relief the concerned workman is entitled to?

2. In the reference order, the Deputy chief Labour Commissioner (Central), Bhubaneswar commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to each one of the opposite parties involved in the dispute.

3. Despite directions so given, no statement of claim is received from the 2<sup>nd</sup> party-workman.

4. On receipt of the above reference, notice was sent to the 2<sup>nd</sup> Party-Workman on 20.12.2021 and on dated 24.04.2023 for appearance and for filing of statement of claim. Neither the postal article sent to the 2<sup>nd</sup> Party-Workman, referred to above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred to above. Therefore, every presumption lies in favour of the fact that the above notices were served upon the 2<sup>nd</sup> Party-Workman. Despite service of the notice, the 2<sup>nd</sup> Party-Workman opted to abstain away from the proceedings. No claim statement was filed on its behalf. Thus, it is clear that the 2<sup>nd</sup> Party-Workman is not interested in adjudication of the reference on merits.

5. Since the 2<sup>nd</sup> Party-Workman has neither filed statement of claim nor has led any evidence so as to prove its cause against the Management, it is presumed that there is no claim of workman against the Management.

6. In view of such, no claim Order is passed by this Tribunal.

7. Let this order be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

DINESH KUMAR SINGH, Presiding Officer

नई दिल्ली, 2 अप्रैल, 2024

का.आ. 643.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एलआईसी ऑफ़ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और श्री पी. बालाजी के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद, पंचाट (रिफरेन्स न.- 37/2014) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. एल-17012/47/2013- आईआर(एम)]

दिलीप कुमार, अवसर सचिव

New Delhi, the 2nd April, 2024

S.O. 643.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Reference No. 37/2014) of the Central Government Industrial Tribunal cum Labour Court, Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to LIC of India and Shri P. Balaji which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. L-17012/47/2013-IR(M)]

DILIP KUMAR, Under Secy.



**ANNEXURE**  
**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT**  
**HYDERABAD**

Present: - **Sri IRFAN QAMAR**

Presiding Officer

Dated the 23<sup>rd</sup> day of January, 2024

**INDUSTRIAL DISPUTE No. 37 /2014**

Between:

Sri P. Balaji,

D.No.18-5-115, Gowri Colony,

Peddapuram.

EG Distt.

Petitioner

AND

1. The Sr. Divisional Manager,  
LIC of India, Divisional Office,  
Jeevan Godavari, Morampudi,  
Rajahmundry.

2. The Branch Manager,  
LIC of India,  
Peddapuram Branch,  
Peddapuram,  
W.G. Dist ..

Respondents

Appearances:

For the Petitioner : Sri V.V. Rama Krishna, Advocate

For the Respondent : Sri Venkatesh Dixit, Advocate

**AWARD**

The Government of India, Ministry of Labour by its order No.L-17012/ 47/2013-IR(M) dated 18.2.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

**SCHEDULE**

“Whether the removal from service of Sri P. Balaji, Ex.Temp. Class –IV, LIC of India, Peddapuram Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 37/2014 and notices were issued to the parties concerned and the Petitioner entered appearance.

2. Petitioner absent on the date fixed for Petitioner evidence. Respondent present. Record reveals that Petitioner is not appearing in this case since the year 2019. It seems that Petitioner is not interested to pursue his case. In spite of providing sufficient opportunity, Petitioner did not choose to file evidence affidavit. Hence, absence of Petitioner and non-filing Petitioner evidence affidavit to substantiate his claim, case is dismissed for default and a ‘No Claim’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23<sup>rd</sup> day of January, 2024.

IRFAN QAMAR, Presiding Officer

**Appendix of evidence**

Witnesses examined for the  
Petitioner  
NIL

Witnesses examined for the  
Respondent  
NIL

**Documents marked for the Petitioner**

NIL

**Documents marked for the Respondent**

NIL

नई दिल्ली, 2 अप्रैल, 2024

का.आ. 644.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एलआईसी ऑफ़ इंडिया के प्रबंधन के संबद्ध नियोजकों और श्री पी. वी. वी. तेजा मूर्ति के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद, पंचाट (रिफरेन्स न.- 98/2014) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. एल-17012/18/2014- आईआर(एम)]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 644.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 98/2014**) of the **Central Government Industrial Tribunal cum Labour Court, Hyderabad** as shown in the Annexure, in the Industrial dispute between the employers in relation to **LIC of India** and **Shri P.V.V. Teja Murthy** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. L-17012/18/2014-IR(M)]

DILIP KUMAR, Under Secy.

**ANNEXURE****IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT  
HYDERABAD**

Present: - **Sri IRFAN QAMAR**

Presiding Officer

Dated the 23<sup>rd</sup> day of January, 2024

**INDUSTRIAL DISPUTE No.98 /2014**

Between:

Sri P.V.V. Teja Murthy,

S/o Yadukondalu,

D.No.5-6-28, Merakaveedhi,

5<sup>th</sup> Ward, Kovvuru.

WG Dist.-534350.

Petitioner

AND

1. The Sr. Divisional Manager,  
LIC of India, Divisional Office,

Jeevan Godavari, Morampudi,

Rajahmundry.

2. The Branch Manager,

LIC of India,

Kovvuru Branch, Kovvuru,

W.G. Dist ..

Respondents

Appearances:

For the Petitioner : Sri V.V. Rama Krishna, Advocate

For the Respondent: Sri Venkatesh Dixit, Advocate

### AWARD

The Government of India, Ministry of Labour by its order No.L-17012/ 18/2014-IR(M) dated 12.5.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of Life Insurance Corporation of India and their workman. The reference is,

### SCHEDULE

“Whether the removal from service of Sri P.V.V. Teja Murthy, Ex.Temp. Class –IV, LIC of India, Kovvuru Branch w.e.f. 28.1.2013 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 98/2014 and notices were issued to the parties concerned and the Petitioner entered appearance.

2. Petitioner absent on the date fixed for Petitioner evidence. Respondent present. Record reveals that Petitioner is not appearing in this case since the year 2018. The claim of the Petitioner is not substantiated by any evidence. Hence, in absence of Petitioner and non-filing Petitioner evidence affidavit to substantiate his claim, case is dismissed for default and a ‘No Claim’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, corrected by me on this the 23<sup>rd</sup> day of January, 2024.

IRFAN QAMAR, Presiding Officer

Appendix of evidence

Witnesses examined for the

Petitioner

NIL

Witnesses examined for the

Respondent

NIL

### Documents marked for the Petitioner

NIL

### Documents marked for the Respondent

NIL

नई दिल्ली, 2 अप्रैल, 2024

का.आ. 645.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एलआईसी ऑफ़ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और श्री बी. एस. के. चैतन्य के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद, पंचाट (रिफरेन्स नं.- 182/2014) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. एल-17012/63/2014-आईआर(एम)]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 645.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 182/2014**) of the **Central Government Industrial Tribunal cum Labour Court, Hyderabad** as shown in the Annexure, in the Industrial dispute between the employers in relation to **LIC of India** and **Shri B.S.K. Chaitanya** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. L-17012/63/2014-IR(M)]

DILIP KUMAR, Under Secy.

**ANNEXURE**

**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT  
HYDERABAD**

Present: **-Sri IRFAN QAMAR**

Presiding Officer

Dated the 23<sup>rd</sup> day of February, 2024

**INDUSTRIAL DISPUTE No. 182/2014**

Between:

Sri B.S.K. Chaitanya,

S/o B.T. Ramesh,

D.No.22-13-31, Mutyalavari Street,

Tanuku, W.G. Distt – 534211.

.....Petitioner

AND

1. The Sr. Divisional Manager,  
LIC of India, Divisional Office,  
Jeevan Godavari, Morampudi,  
Rajahmundry.

2. The Branch Manager,  
LIC of India,  
Tanuku Branch,  
Tanuku. W.G. Dist. A.P..

... Respondents

Appearances:

For the Petitioner : Sri V. V. Rama Krishna, Advocate

For the Respondent: Sri Venkatesh Dixit, Advocate

**AWARD**

The Government of India, Ministry of Labour by its order No.L-17012/ 63/2014-IR(M) dated 4.8.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of LIC of India and their workman. The reference is,

**SCHEDULE**

“Whether the removal from service of Sri B.S.K. Chaitanya, Ex.Temp, Class-IV LIC of India, Tanuku Branch w.e.f. 28.1.2023 is legal and justified? If not, what other relief the workman is entitled to?”

The reference is numbered in this Tribunal as I.D. No. 182/2014 and notices were issued to the parties concerned and the Petitioner entered appearance.

2. On the date fixed for Petitioner’s evidence, Petitioner remained absent. Record reveals that Petitioner is not attending proceedings since the year 2019. Despite sufficient number of opportunities have been provided to him, he has not filed any evidence to substantiate his claim. In absence of evidence and due to his absence a ‘No claim’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, and corrected by me on this the 23<sup>rd</sup> day of February, 2024.

IRFAN QAMAR, Presiding Officer

Appendix of evidence

Witnesses examined for the  
Petitioner  
NIL

Witnesses examined for the  
Respondent  
NIL

**Documents marked for the Petitioner**

NIL

**Documents marked for the Respondent**

NIL

नई दिल्ली, 2 अप्रैल, 2024

का.आ. 646.—औद्योगिक विवाद अधिनियम, (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स गुजरात स्टेट पेट्रोलियम कॉर्पोरेशन लिमिटेड एंड अन्य के प्रबंधन के संबद्ध नियोजकों और जीएसपीसी (ओजीटी) कॉन्ट्रैक्ट वर्कर्स यूनियन के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, हैदराबाद, पंचाट (रिफरेन्स न.- 121/2018) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. एल-30011/2/2018- आईआर(एम)]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 646.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 121/2018**) of the **Central Government Industrial Tribunal cum Labour Court, Hyderabad** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Gujarat State Petroleum Corporation Limited and others** and **GSPC (OGT) Contract Workers Union** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. L-30011/2/2018-IR(M)]

DILIP KUMAR, Under Secy.

**ANNEXURE**

**IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT AT HYDERABAD**

Present: - **Sri IRFAN QAMAR**  
Presiding Officer

Dated the 30<sup>th</sup> day of January, 2024

**INDUSTRIAL DISPUTE No. 121/2018**

Between:

The President & General Secretary,  
GSPC (OGT) Contract Workers Union,  
D.No.1-90, Gadimoga Village,  
Tallarevu (M),  
E.G.District.

.....Petitioner/Union

AND

1. The Executive Director/Asset Manager,  
M/s Gujarat State Petroleum Corporation Limited,  
The head of the Plant of Gujarat State petroleum Corporation,  
Gandhinagar (Gujarat) -382010.
2. The Senior Vice President,  
M/s Gujarat State Petroleum Corporation Limited  
STC Ware House Complex, New Port Godowns,  
Beach Road, Kakinada - 05.
3. M/s Central Investigation Security Service Ltd.,  
301/B, 3<sup>rd</sup> Floor, A-Wing, Mukti Towers, 141/A,  
Model Town, 4-Bangalows, Andheri (West),  
Mumbai, Pin Code - 400053.
4. M/s Airon Corporation Rhode's Khacha Cornor,  
Rajmahal Road, Vadodara - 01.  
M/s Sree Rama Engineering Services,  
Kakinada, (Man Power Supply Contractors),  
Sri Rama Nivas, Dr. No. 3-9A-6/2, Recharlapeta,  
Community Hall Street, Kakinada -1.
5. M/s Bhaskara Resources Pvt. Ltd.,  
MIG-36, 2<sup>nd</sup> Floor, Beside: Cherms, Hyderanagar,  
Kukatpalli, Hyderabad -500085.
6. M/s TVR Constructions Pvt. Ltd.,  
Rohini Apartments, 7-1-32/G, AGI, Leela Nagar,  
Ameerpet, Hyderabad -500016.
7. M/s Bharat Energy Systems (Maintenance & Engg-).  
D.No. 60-23-10, Prakash Nagar, Malkapuram,  
Visakhapatnam -530011.
8. M/s Sombansi Enviro Engg. Pvt. Ltd.,  
J-78, 2<sup>nd</sup> Floor, Patel nagar, Opp. GDA Office,  
Ghaziabad, Uttar Pradesh.
9. M/s Prumotech Service Pvt. Ltd., No. 18,  
Lady Madhavan Road, Mahalingapuram,  
Nungambakkam, Chennai - 600034.
10. M/s Chandra Shipping Training Services,  
2nd Floor, 2nd Block, Subhadra Arcade,  
Bhanugudi Junction Kakinada-533216.
11. M/s Devi Engg. Services, Dr. No. 14-211,  
Padmanabha Gardens, Near Govt. Hospital,  
Mummidivaram, E.G. District - 533216.
12. M/s Sodex Focd Solutions India Pvt. Ltd.,  
Gemstar Commercial Complex, 1<sup>st</sup> Floor,  
Ramachandra Malad Lane Extension,  
Kanchappada, (West) Mumbai (MS).
13. M/s Sri Surya Plant Nursery, Kakinada.

... Respondents

Appearances:

For the Petitioner : None

For the Respondent : Sri B. Kiran Kumar, Advocate for R10

**AWARD**

The Government of India, Ministry of Labour by its order No. L-30011/2/2018-IR(M) dated 31.10.2018 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 for adjudication to this Tribunal between the management of M/s. Singareni Collieries Company Ltd., and their workman. The reference is,

**SCHEDULE**

“Whether the action of M/s. Central Investigation Security Service, M/s. Airon Corporation Rhode’s M/s Sree Rama Engineering Services, M/s Bhaskara Resources Pvt. Ltd., M/s TVR Constructions Pvt. Ltd., M/s. Bharat Energy Systems (Maintenance & Engg.), M/s Sombansi Enviro Engg Pvt. Ltd., M/s. Prumotech Service Pvt. Ltd., M/s. Chandra Shipping Training Services, M/s. Devi Engg. Services, M/s. Sodex Food Solutions India Pvt. Ltd., M/s Sri Surya Plant Nursery, Kakinada as contractor under the Management of Gujarat State Petroleum Corporation Ltd., Kakinada in not paying the HRA, Accident/Group Insurance, TGravelling Vehicle Facilities, Facilities and Special Allowance as demanded by Gujarat State Petroleum Corporation (OGT) Contract Workers Union vide their letter dated 8.2.2017 are proper, legal and justified? If not, what relief the workmen are entitled to? What directs, if any, are required in the matter?”

The reference is numbered in this Tribunal as I.D. No. 121/2018 and notices were issued to the parties concerned.

2. On the date fixed for filing of claim statement Petitioner remained absent. Record shows that this case is coming for claim statement since 2018. Notice sent on Petitioner union returned unserved with endorsement ‘Addressee left’. No claim statement filed. Hence a ‘No claim’ award is passed.

Award is passed accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant, and corrected by me on this the 30<sup>th</sup> day of January, 2024.

IRFAN QAMAR, Presiding Officer

**Appendix of evidence**

Witnesses examined for the  
Petitioner  
NIL

Witnesses examined for the  
Respondent  
NIL

**Documents marked for the Petitioner**

NIL

**Documents marked for the Respondent**

NIL

नई दिल्ली, 2 अप्रैल, 2024

**का.आ. 647.**—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स प्रदीप माइनिंग एंड कंस्ट्रक्शन (प्राइवेट) लिमिटेड के प्रबंधन के संबद्ध नियोजकों और श्री हादिबन्धु मोहंता के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, भुवनेश्वर, पंचाट (रिफरेन्स नं.- 13/2013) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 02.04.2024 को प्राप्त हुआ था।

[सं. एल-29012/55/2012-आईआर(एम)]

दिलीप कुमार, अवर सचिव

New Delhi, the 2nd April, 2024

**S.O. 647.**—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (**Reference No. 13/2013**) of the **Central Government Industrial Tribunal cum Labour Court, Bhubaneswar** as shown in the Annexure, in the Industrial dispute between the employers in relation to **M/s Pradeep Mining & Construction (Private) Ltd., and Sri Hadibandhu Mohanta** which was received along with soft copy of the award by the Central Government on 02.04.2024.

[No. L-29012/55/2012-IR(M)]

DILIP KUMAR, Under Secy.

**ANNEXURE**

Present:

Sri Dinesh Kumar Singh,  
Presiding Officer, C.G.I.T.-cum-Labour  
Court, Bhubaneswar.

**INDUSTRIAL DISPUTE CASE NO. 13/2013**

Ref. No. L-29012/55/2012 – IR (M), dated 06.02.2013

**Date of Passing Order – 8<sup>th</sup> December, 2023**

Between:

M/s. Pradeep Mining & Construction (P) Ltd.,  
Chorda, Jajpur Road, Jajpur, Odisha.

... 1<sup>st</sup> Party-Management.

**(And)**

Sri Hadibandhu Mohanta,  
Vill. Kiajhara, Po. Kiajhara, Tomaka,  
Dist. Jajpur, Odisha.

... 2<sup>nd</sup> Party-Workman.

Appearances:

Mr. Nitish Mishra, Advocate. ... For the 1<sup>st</sup> Party-  
Management.

None. ... For the 2<sup>nd</sup> Party-  
Workman.

**ORDER**

Case is called out.

2. On call the learned lawyer for the 1<sup>st</sup> Party-Management appears before the Tribunal, but no one appears on behalf of the 2<sup>nd</sup> party-workman. Learned lawyer for the Management has submitted before the Tribunal that the Management of M/s. Pradeep Mining & Construction Private Limited had filed a writ petition before the Hon'ble High Court of Orissa vide W.P.(C) No.11926/2013 in which the Hon'ble High Court of Orissa has been pleased to observe that the

dispute would not be adjudicated on the basis of the question referred to in the order dated 6<sup>th</sup> February, 2013.

3. Perused the record. On perusal of record it appears that the 1<sup>st</sup> Party-Management has filed Writ Petition before the Hon'ble High Court of Orissa vide W.P.(C) No. 11962/2013 in which it has been observed as follows:-

"In that view of the matter, the writ petition is disposed of stating that the dispute will not be adjudicated on the basis of the question referred to in the order dated 6<sup>th</sup> February, 2013. Instead of amending reference, the Opp. Parties will make a fresh reference of a question properly worded. It is so ordered. The writ petition is disposed of."

4. It also reveals that the 2<sup>nd</sup> Party-workman had filed a writ petition before the Hon'ble High Court of Orissa in W.P.(C) No. 22127/2017 in which the Hon'ble High Court of Orissa has been pleased to pass an order which is as under:-

"In that view of the matter, the writ petition is disposed of by directing that the dispute will not be adjudicated on the basis of the question referred to in the order dated 6<sup>th</sup> February, 2013. Instead of amending reference the Opp. Parties will make a fresh reference on a question properly worded. It is so ordered. The writ petition is disposed of."

5. Now in this case the Hon'ble High Court of Orissa observed that the dispute cannot be adjudicated on the question referred to in the order dated 06.02.2013.

6. In view of such fact and in the light of the observations made by the Hon'ble High Court of Orissa the reference herewith is returned to the appropriate government for taking necessary action.

DINESH KUMAR SINGH, Presiding Officer



नई दिल्ली, 3 अप्रैल, 2024

**का.आ. 648.**—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार देना बैंक के प्रबंधन, संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, **चंडीगढ़-I** के पंचाट (03/2017) प्रकाशित करती है।

[सं. एल-39025/01/2024- आई आर (बी-II)-10]

सलोनी, उप निदेशक

New Delhi, the 3rd April, 2024

**S.O. 648.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref.03/2017) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Chandigarh-I* as shown in the Annexure, in the industrial dispute between the management of Dena Bank and their workmen.

[No. L-39025/01/2024- IR (B-II)-10]

SALONI, Dy. Director

#### ANNEXURE

#### IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-I, CHANDIGARH.

**Present: Sh. Kamal Kant, Presiding Officer-cum-Link Officer.**

ID No.03/2017

Registered on:-12.05.2017

Jaspal Singh S/o Sh. Tara Chand, R/o H.No.396, KachaGoneana Road, Gali No.16, Sri Muktsar Sahib (Punjab).

Workman

#### Versus

1. Dena Bank, through its Managing Director, regd. And Head Office Dena Corporate Centre, C-10, G Block, BandraKurla Complex, Bandra (East), Mumbai-400051.
2. Dena Bank, through its Zonal Manager, Zonal Office, SCO No.17-18, 3rd Floor, Sector 32-A, Ludhiana (Punjab).
3. Dena Bank, through its Branch Manager, SCO No.10, New Grain Market, Muktsar, 152026 (Punjab).

Respondents/Managements

#### AWARD

**Passed On:-02.02.2024**

1. The workman Jaspal Singh has filed the present claim petition under Section 2-A of the Industrial Disputes Act, 1947 alleging therein that the workman was appointed and joined duty on 01.09.2010 with respondents as Sub-Staff and worked with respondent No.3. The workman worked continuously from 01.09.2010 to 15.05.2015 on daily basis full day (sub staff) with the respondent No.3. The work and conduct of the workman was quite satisfactory to his superior during his service period. The respondent No. 3 Bank without notice, without retrenchment compensation, show cause notice, charge sheet terminated the services of the workman on 15.05.2015 at 5:00 PM without giving any termination orders.

2. The workman went to the office of respondent No.3 on 16.05.2015, but he was not allowed to work on the plea that his services stands terminated on 15.05.2015. Juniors to the workman, Rekha and Rainer Kumar have been allowed to continue and principle of last-cum-first go has been violated. The workman was being paid Rs.150/- per day by the respondent Management at the time of termination of his service. The workman prayed for reinstatement in service by the respondent management without change in service conditions with full back wages, continuity in service in the respondent No.3 bank by raising demand notice dated 16.06.2015 with copy to Assistant Labour Commissioner (Central) at Chandigarh. The matter was ultimately referred to Assistant Labour Commissioner Central at Jalandhar. Before Assistant Labour Commissioner Central at Jalandhar, No compromise has been made between the parties within 45 days, hence the Hon'ble Authority has directed the workman to file the case directly in this Hon'ble Court vide order dated 14.09.2015. Copy of the Demand Notice U/2-A of the industrial Disputes Act dated

14.09.2015 is also enclosed with the claim statement. In view of the circumstances explained above, it is requested, to reinstate the workman into service w.e.f. 16.05.2015 with full back wages and continuity of service.

3. Notice of petition was given to respondents no.1 to 3 who filed reply, alleging therein that the present Claim Statement is not maintainable as there is no relationship of master and servant as the workman was not employed through the employment exchange or on regular basis. Service of the workman was never terminated by the respondents-management. The workman was directed to join another branch of the bank at Faridkot on the arrival of the regular employee, but the workman refused to join the other branch, even today the respondent/management is ready to take him with the direction to join the other branch, where the requirement for temporary person exists. Hence the service of the workman was never terminated by the respondent bank. It is the workman who left the service on his own for his own adamant behavior for not joining the other branch. In view of the above, it is prayed that the Claim Statement of the workman be dismissed as he is not entitled for any protection under the Industrial Disputes Act, 1947 as the service of the workman was never terminated by the respondents- management, but it is the workman himself, who left the services of its own and hence not entitled to any relief.

4. Replication was filed contravening the averment made in the reply by the management.

5. The workman has also filed an application for production of record i.e. the record of the workman from 01.09.2010 to 15.05.2015 when he remained posted as sub-staff and has put more than 240 days in each calendar year, Debit and credit vouchers, account statement w.e.f. 01.09.2010 to 15.05.2015 of Account No. 131210031729 of workman Jaspal Singh, charges register of Branch from 01.09.2010 to 15.10.2015 and record of arrears of salary paid to the workman from time to time.

6. I have heard the Ld. Counsel for the Workman in the absence of management as the management was proceeded ex-parte on 13.12.2023.

7. Undisputedly, to claim the benefit and protection under Section 25-F of the Act, a workman has to establish on the record that he had completed the continuous service of 240 days under his employer in the preceding 12 calendar months from the date of termination of his services as envisaged under Section 25-B of the Act meaning thereby that in the present case, the workman has to establish that he had completed the continuous service of 240 days with the respondent-management in the last calendar year.

8. In his affidavit Ex.W-1 the claimant/workman has stated that he was appointed and joined duty on 1.9.2010 with respondent no.3-bank which is under respondent no.2 zonal office and respondent no.1 control all the functions of Dena Bank throughout India. He worked continuously from 1.9.2010 to 15.5.2015 on daily basis full day(sub staff) with respondent no.3 and put in more than 240 days of service prior to the date of termination i.e. 15.5.2015. The respondent no.3 without any notice, without payment of any retrenchment compensation, show cause notice, charge sheet, terminated the services of the workman on 15.5.2015 without giving any termination orders in writing. The juniors to the workman i.e. Ms Rekha and Rajinder Kumar have been allowed to continue and the management has flouted the settled principle of last come first go. The workman used to be paid monthly salary by the bank in account no.131210031729. The workman was also paid arrears of salary by the management amounting to Rs.38,45.52/-. The management has violated the mandatory provisions of Section 25-F of the Industrial Disputes Act, 1947 and no notice of one month or notice pay and retrenchment compensation as per the mandatory provisions of the ID Act, 1947 were paid to the workman before his termination. The workman is unemployed from the date of termination of his services till date as despite best efforts he failed to get any job and is fully dependant on his parents.

9. In this case, the claimant is a “workman” as defined under Section 2(S) of the Industrial Disputes Act, 1947. In this connection, reference can be made to the decision of Devinder Singh Vs. Municipal Council, Sanaur, AIR 2011 Supreme Court 2532, wherein, the Hon’ble Apex Court while interpreting the provisions of Section 2(S) of the Act which deals with the definition of “workman” has observed as follows:-

***“The source of employment, the quantum of recruitment, the terms & conditions of employment/ contract of service, the quantum of wages/ pay and mode of payment are not at all relevant for deciding whether or not a person is a workman within the meaning of Section 2(s) of the Act. The definition of workman also does not make any distinction between full time and part time employee or a person appointed on contract basis. There is nothing in the plain language of Section 2(s) from which it can be inferred that only person employed on regular basis or a person employed for doing whole time job is a workman and the one employed on temporary, part time or contract basis on fixed wages or as a casual employee or for doing duty for fixed hours is not a workman.”***

It is clear from the perusal of aforesaid observations that even if a person is engaged on temporary, part time or contract basis or for doing any other kind of work and is duly paid wages for the said work, in that eventuality such a person would be covered by the definition of “workman” as provided in Section 2(S) of the Act.

10. The workman has placed on record the photocopy of his bank account statement Ex.W-2. The evidence and documents brought on record has proved that the workman was appointed by the respondent-bank. In the face of documents Ex.W-2 as discussed above, it stands proved on record that the workman/claimant has been working under the management-bank from 1.9.2010 till 15.5.2015 when his services were terminated. The evidence brought on

record by the workman has gone un rebutted and unchallenged and there is reason why the same should not be believed.

11. The version of the claimant/workman that his services were illegally terminated by the management w.e.f. 15.5.2015 without any notice or compensation pay has gone unchallenged and un rebutted inasmuch as the management has neither pleaded nor led any evidence contrary thereto. Since the management has neither issued any notice, nor has paid any compensation in lieu of notice period to the workman/claimant prior to termination of his services w.e.f. 15.5.2015, this amounts to violation of the provisions of Section 25-F of the Act.

12. The respondent-bank has taken a plea in his written statement there is no relationship of master and servant as the workman was not employed through the employment exchange or on regular basis. Service of the workman was never terminated by the respondent management. The workman was directed to join another branch of the bank at Faridkot on the arrival of the regular employee, but the workman refused to join the other branch, even today the respondent/management is ready to take him with the direction to join the other branch, where the requirement for temporary person exists. It is the workman who left the service on his own for his own adamant behavior for not joining the other branch. It is settled law that pleadings cannot take place of proof. Mere pleading in a written statement is not sufficient and to prove the said plea, the management was required to lead cogent and consistent evidence. Here in this case, the management proceeded against ex parte and failed to lead any iota of oral or documentary evidence to prove the said plea. The conduct of the management in not leading evidence and further giving vague pleas in the written statement needs to be depreciated with strongest possible words. The management even did not dispute the crucial factum of the workman having completed his continuous service of more than 240 days. Therefore, the management cannot get away from the findings that the services of the workman were illegally and wrongfully terminated without following due procedure or law under Section 25-F of the Act.

13. Since there is no submission by the respondent-bank who was proceeded against ex-parte hence, while believing the statement of workman, the Court comes to the conclusion that termination of services of workman is illegal and invalid. The respondent-bank has violated the provisions of Section 25-F of the Act.

14. Now having held so in the preceding paragraphs that the workman has been victimized by the management, the next important question though very short, which arises for the consideration of this Court is that what relief the workman is entitled to?

15. Learned counsel for workman has argued that respondent-bank has violated the provision of Section 25-F of the Act without offering retrenchment compensation as provided under Section 25-F will make termination as illegal and in support relied upon the judgment of Hon'ble Supreme Court in the case of "Anoop Sharma Vs. Executive Engineer, Public Health, Division No.1, Panipat reported in 2010(3) SCT 318 holding that "provisions of Section 25-F are mandatory and non-compliance thereof rendered the retrenchment of an employee as nullity." Similar view were taken by the Hon'ble High Court in 2010(1) Law Herald (SC) 592 in the case of Ramesh Kumar Vs. State of Haryana, in which it is held that "workman worked for 3 years and termination of his services in violation of compliance of provisions of Section 25-F so workman was held entitled to claim relief." In a judgment of Haryana Agricultural University Vs. Presiding Officer, Industrial Tribunal-cum-Labour Court and another 2011 LLR 1218, wherein it has been held that "termination of service of an employee who has completed 240 days continuous service, without payment of retrenchment compensation simultaneously at the time of termination by complying with the provisions of Section 25-F, may attract reinstatement that too with full back wages, continuity of service and consequential benefits." I find force in the arguments of workman.

16. In the light of foregoing discussions, it is held that the workman has been able to lead any cogent and sufficient evidence on the file to prove that he had completed the continuous service of 240 days with the respondent-bank as its employee during the preceding 12 calendar months from the date of alleged termination of his services and that his services were allegedly terminated by the respondent-bank and that the alleged termination of his services is illegal and invalid.

17. In view of my findings on the above discussed issues, as discussed in the preceding paragraphs, this reference is decided in favour of the workman to the effect that he is entitled to reinstatement with continuity of service along with 30% back wages from the date of his illegal termination.

18. Let copy of this award be sent to Central Government for publication as required under Section 17 of ID Act, 1947.

KAMAL KANT, Presiding Officer-cum-Link Officer

नई दिल्ली, 3 अप्रैल, 2024

**का.आ. 649.**—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर रेलवे के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, लखनऊ के पंचाट (01/2023) प्रकाशित करती है।

[सं. एल-41011/62/2022-आई आर (बी-1)]

सलोनी, उप निदेशक

New Delhi, the 3rd April, 2024

**S.O. 649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 01/2023) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Lucknow* as shown in the Annexure, in the industrial dispute between the management of Northern Railway and their workmen.**

[No. L-41011/62/2022-IR(B-I)]

SALONI, Dy. Director

**ANNEXURE**

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT, LUCKNOW**

**PRESENT**

**JUSTICE ANIL KUMAR**

**PRESIDING OFFICER**

**I.D. No. 01/2023**

**Ref. No. D-L-41011/62/2022-IR (B-I)**

**D.O. Secy. U R K Union Vs. Northern Railway**

**BETWEEN**

The Divisional Organization Secretary,  
Uttar Railway Karmchari Union,  
283/63Kh, Garhi Kanaura (Premwati Nagar)  
Lucknow- 226011

**Workman**

**AND**

(1) The Divisional Railway Manager,  
Northern Railway, Hazratganj,  
Lucknow- 226001

(2) The Sr. Divisional Engineer (C),  
O/o Divisional Railway Manager,  
Northern Railway, Hazratganj,  
Lucknow- 226001

**Respondent**

**AWARD**

By letter/order dated 15.12.2022 the following reference has been referred to this Tribunal for adjudication.

*“Whether the demand raised by Uttar Railway Karmchari Union, Lucknow vide letter dated 12.11.2021 in respect of Shri Madhav against the management of Northern Railway, Lucknow over the issue of promotion with grade pay Rs. 4200/- and not giving benefits of SC category quota is proper, legal and justified? If yes, to what relief the concerned workman is entitled to?”*

Thereafter on 02.01.2023 notice was issued to appellant.

Thereafter the matter was listed on the following dates an order was passed.

**On 17.02.2023** order was passed quoted here in below:-

*Matter taken up in the revised list.*

*Sri P.K. Singh for respondent.*

None for workmen.

Office is directed to issue notice to claimant/workman.

List on 20.04.2023 for statement of claim.

**On 20.04.2023** order was passed quoted here in below:-

Matter taken up in revised list.

Sri P.K. Singh for respondents.

None for workmen.

As prayed matter is adjourned to 14.04.2023.

**On 14.08.2023** order was passed quoted here in below:-

Matter taken up in revised list.

Parties absent.

Last opportunity is granted for claim statement.

List on 16.11.2023.

**On 16.11.2023** order was passed quoted here in below:-

Parties absent.

One more opportunity is granted to file CS, failing which case shall proceed ex-parte against workmen.

List on 15.02.2024, office to issue notice to workmen.

In spite of the notice none appeared on behalf claimant and no statement of claim has been filed.

Accordingly after hearing the learned counsel for respondent, going through the record and in view of the above said facts and taking into consideration the law as laid by the Hon'ble High Court in the case of V. K. Raj Industries v. Labour Court (I) and others 1981 (29) FLR 194 as under:

*"It is well settled that if a party challenges the legality of an order, the burden lies upon him to prove illegality of the order and if no evidence is produced the party invoking jurisdiction of the Court must fail. Whenever a workman raises a dispute challenging the validity of the termination of service if is imperative for him to file written statement before the Industrial Court setting out grounds on which the order is challenged and he must also produce evidence to prove his case. If the workman fails to appear or to file written statement or produce evidence, the dispute referred by the State Government cannot be answered in favour of the workman and he would not be entitled to any relief."*

In the case of **M/s Uptron Powertronics Employees' Union, Ghaziabad through its Secretary v. Presiding Officer, Labour Court (II), Ghaziabad and others 2008 (118) FLR 1164** Hon'ble Allahabad High Court has held as under:

*"The law has been settled by the Apex Court in case of Shanker Chakravarti v. Britannia Biscuit Co. Ltd., V.K. Raj Industries v. Labour Court and Ors., Airtech Private Limited v. State of U.P. and Ors. 1984 (49) FLR 38 and Meritech India Ltd. v. State of U.P. and Ors. 1996 FLR that in the absence of any evidence led by or on behalf of the workman the reference is bound to be answered by the court against the workman. In such a situation it is not necessary for the employers to lead any evidence at all. The obligation to lead evidence to establish an allegation made by a party is on the party making the allegation. The test would be, who would fail if no evidence is led."*

And by the Hon'ble Allahabad High Court in the case of **District Administrative Committee, U.P. P.A.C.C.S.C. Services v. Secretary- cum-G.M. District Co-operative Bank Ltd. 2010 (126) FLR 519**; wherein it has been held as under:

*"The submission is that even if the petitioner failed to lead the evidence, burden was on the shoulders of the respondent to prove the termination order as illegal. He was required to lead evidence first which he failed. A perusal of the impugned award also does not show that any evidence either oral or documentary was led by the respondent. In the case of no evidence, the reference has to be dismissed."*

As the workmen/claimants have not filed any statement of claim/oral/documentary evidence, so the present case is liable to be dismissed.

For the foregoing reasons, the case is dismissed and; and the workmen are not entitled for any relief.

Award as above.

Lucknow.

Justice ANIL KUMAR, Presiding Officer

Date 16.02.2024

नई दिल्ली, 3 अप्रैल, 2024

**का.आ. 650.**—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबंधतंत्र, संबद्ध नियोजको और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जबलपुर के पंचाट (11/2015) प्रकाशित करती है।

[सं. एल-12025/01/2024-आई आर (बी-1)-141]

सलोनी, उप निदेशक

New Delhi, the 3rd April, 2024

**S.O. 650.**—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. 11/2015) of the *Cent.Govt.Indus.Tribunal-cum-Labour Court Jabalpur* as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen.

[No. L-12025/01/2024-IR(B-I)-141]

SALONI, Dy. Director

**ANNEXURE**

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT,  
JABALPUR**

**NO. CGIT/LC/RC/11/2015**

**Present: P.K.Srivastava**

**H.J.S..( Retd)**

**Shri Dhur Singh Alave**

**F-1, Trupti Vihar,**

**District Ujjain (M.P.)**

**APPLICANT**

**Versus**

**1. The Assistant General Manager,**

**Region-3**

**State Bank of India**

**Regional Business Office,5**

**Yashwant Niwas Road, Indore (M.P.)**

**2. The Branch Manager**

**State Bank of India**

**Branch Borlai (30223)**

**NON-APPLICANTS**

**ORDER**

**(Passed on this 5<sup>Th</sup> day of December-2023.)**

1. The workman Dhur Singh Alawe has filed the petition under section 2A(2&3) of Industrial Disputes Act against his allegedly unlawful disengagement.

2. After registering a case on the basis of the petition, notices were sent to the parties.

3. Parties appeared and filed their respective statements of claim and defence. Case of the workman in brief, is that he was first engaged as a daily wager by the branch of the management bank on January 10, 2000 and worked as such, continuously till December 23, 2013 when he was

disengaged by the then branch manager without any prior notice or compensation. According to him, his disengagement is in violation of section 25B and 25F of Industrial Disputes Act, hereinafter referred to by the word Act. He has further stated that he raised a dispute which could not be resolved. Hence, the petition. He has prayed that declaring the action of management. Contrary to law, he be reinstated with all back wages and benefits.

4. Case of management in brief is that the workman was a casual labour, was asked to work in the bank as daily wagger as and when there was a necessity. It was not recruited against any vacancy following recruitment procedure. He never worked continuously for 240 days in any year, including the year preceding the date of his disengagement. According to management, his disengagement is not bad in law. Management has requested that the petition is answered against the workman.

5. Though the workmen side has filed photocopy documents, he never cared to prove these documents nor did he file in the affidavit in support of his claim. Management has also not find any evidence.

At the time of argument also, none appeared for parties. I have gone through the record.

6. The initial burden to prove his claim is on workman. He has not filed any evidence, nor has proved any document in photocopy filed by him. Hence holding his claim, not proved, the petition deserves to be dismissed and is dismissed accordingly.

P.K.SRIVASTAVA, Presiding Officer

DATE: 05/12/2023